

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
8 the 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
16 local school boards to receive federal funds.

17 **R277-309-2. Definitions.**

18 (1) "Content specialist" means a licensed educator who provides instruction or
19 specialized support for students and teachers in a school setting.

20 (2) "Demonstrated competency" means that a teacher shall demonstrate current
21 expertise to teach a specific class or course using lines of evidence which may include:

22 (a) completed Board approved course work;

23 (b) content tests; or

24 (c) years of successful experience including evidence of student performance.

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) "Eminence" means distinguished ability in rank, in attainment of superior
31 knowledge and skill in comparison with the generally accepted standards and
32 achievements in the area in which the authorization is sought as provided in R277-309-
33 5.

34 (9)(a) "License areas of concentration" has the same meaning as described in
35 Section [R277-301-2](#).

36 (10)(a) "License endorsement" or "endorsement" has the same meaning as
37 described in Section [R277-301-2](#).

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

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

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

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

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

50 (a) holds a current educator license; or

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

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

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

56 and

57 (b) Educator quality funds under Subsection 53F-2-305(2) and Rule R277-486.

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

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

62 (a) an early childhood license area of concentration;

63 (b) an elementary license area of concentration; or

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

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

68 (a) an elementary license area of concentration; or

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

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

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

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

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

82 (a) an elementary license area of concentration;

83 (b) a secondary license area of concentration with the appropriate endorsement

84 for all assigned courses; or

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

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

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

91 (b) for an educator assigned to teach ~~a class composed of~~ deaf and hard of
92 hearing students, a deaf education license area of concentration with the appropriate
93 endorsement for all assigned courses.

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

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

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

101 (9) An educator assigned to serve or teach a class of students with disabilities
102 shall hold a current educator license with a special education license area of
103 concentration and, if the educator is the teacher of record of secondary mathematics for
104 students with disabilities, shall also hold the appropriate endorsement.

105 (10) An educator assigned to serve preschool-aged students with disabilities
106 shall hold a current educator license with a preschool special education license area of
107 concentration.

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

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

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

112 (12) An educator assigned to provide student support services as defined in Rule

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

115 (13) An educator assigned as a school-based or LEA-based specialist shall hold
116 a current educator license with the appropriate license area of concentration and
117 endorsement as defined by the LEA.

118 (14) An educator assigned as a principal or vice principal in a school district shall
119 hold a current educator license and a school leadership license area of concentration.

120 (15) An educator assigned in any other position that requires an educator
121 license, as defined by the district, shall hold a current educator license with the
122 appropriate license area of concentration and endorsement as defined by the district.

123 (16) An educator assigned in an administrative position in a charter school is
124 exempt from Subsections (14) and (15) consistent with Section [53G-5-405](#).

125 (17) Notwithstanding Subsection R277-309-3(1), an educator may hold a school
126 social work assignment in an LEA without a school social worker license area of
127 concentration.

128 **R277-309-5. Eminence.**

129 (1) The purpose of an eminence designation is to allow an individual with
130 exceptional training or expertise, consistent with Subsection R277-309-2(5), to teach or
131 work in the public schools on a limited basis.

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

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

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

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

141 (b) Subsection (4)(a) supersedes Section R277-301-7(5) for a licensee with an
142 eminence designation.

143 (5) If a request for an eminence designation or renewal of an eminence
144 designation is denied by the Superintendent, the LEA may appeal the denial to the
145 Board.

146 **R277-309-6. Routes to Appropriate Endorsements for Teachers.**

147 (1) An educator may add an endorsement to an existing license area of
148 concentration by meeting the requirements for an associate, professional, or LEA-
149 specific endorsement as established in Rule R277-301.

150 (2) An educator that holds a professional license area of concentration may meet
151 the content knowledge requirements for an associate endorsement by meeting ~~[a~~
152 ~~significant number of the content knowledge competencies established by the~~
153 ~~Superintendent under Subsection R277-301-5(4)(b)] the competency criteria~~
154 established by the Superintendent.

155 (3) An educator shall meet all content knowledge requirements for an associate
156 endorsement to receive a professional endorsement in the area.

157 **KEY: educator, license, assignment**

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

159 **Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-401(4);**

160 **53E-6-201(2)(a)**