

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

22 ~~(1)2~~ "Content specialist" means a licensed educator who provides instruction
23 or specialized support for students and teachers in a school setting.

24 ~~(2)3~~ "Educator license" means an associate, professional, or LEA-specific
25 license issued by the Superintendent under Rule [R277-301](#).

26 ~~(3)4~~ "Elementary setting" means an instructional model where students
27 typically have a single class with a single teacher primarily responsible for instruction in

28 all core standards established in Rule [R277-700](#).

29 ([4]5)(a) "License areas of concentration" has the same meaning as described
30 in Section [R277-301-2](#), [including elementary education, secondary education, special](#)
31 [education, and career and technical education](#).

32 ([5]6)(a) "License endorsement" or "endorsement" has the same meaning as
33 described in Section [R277-301-2](#), [including special education mild/moderate, special](#)
34 [education severe disabilities, mathematics, English language arts, and dance](#).

35 ([6]7) "Secondary setting" means an instructional model where students typically
36 rotate among classes taught by multiple teachers that are considered subject matter
37 experts, primarily responsible for instruction in the core standards in an area as
38 established by the Board in Rule [R277-700](#).

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

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

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

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

47 (a) holds a current educator license; or

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

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

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

53 and

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

55 **R277-309-4. Appropriate Licenses, License Areas of Concentration, and**
56 **Endorsements.**

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

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

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

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

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

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

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

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

- 79 (a) an elementary license area of concentration;
- 80 (b) a secondary license area of concentration with the appropriate endorsement
81 for all assigned courses; or
- 82 (c) for an educator assigned to teach a class composed of deaf and hard of

83 hearing students, a deaf education license area of concentration.

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

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

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

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

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

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

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

99 (a) a current educator license;

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

101 (c) an endorsement appropriate for the course.

102 ~~(9)~~10(a) An educator assigned to serve or teach a class of students with
103 disabilities shall hold a current educator license with a special education license area of
104 concentration and special education endorsement ~~[appropriate for the course,];~~ and

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

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

111 (~~[10]~~11) An educator assigned to serve preschool-aged students with disabilities
112 shall hold a current educator license with a preschool special education license area of
113 concentration.

114 (~~[11]~~12) An educator assigned to serve deaf and hard of hearing students shall
115 hold:

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

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

119 (~~[12]~~13) An educator assigned to provide student support services as defined in
120 Rule [R277-306](#) shall hold a current educator license with the appropriate support
121 service license area of concentration.

122 (~~[13]~~14) An educator assigned as a school-based or LEA-based specialist shall
123 hold a current educator license with the appropriate license area of concentration and
124 endorsement as defined by the LEA.

125 (~~[14]~~15) An educator assigned as a principal or vice principal in a school district
126 shall hold a current educator license and a school leadership license area of
127 concentration.

128 (~~[15]~~16) An educator assigned in any other position that requires an educator
129 license, as defined by the ~~[district]~~LEA, shall hold a current educator license with the
130 appropriate license area of concentration and endorsement as defined by the district.

131 (~~[16]~~17) An educator assigned in an administrative position in a charter school is
132 exempt from Subsections (14) and (15) consistent with Section [53G-5-405](#).

133 (~~[17]~~18) Notwithstanding Subsection R277-309-3(1), an individual may hold a
134 school social work assignment in an LEA without a school social worker license area of
135 concentration.

136 **KEY: educator, license, assignment**

137 **Date of Enactment or Last Substantive Amendment: July 23, 2020**

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May 7, 2021

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

139 **53E-6-201(2)(a)**