

R277-301 received final approval by the Utah State Board of Education on May 3, 2018. R277-301 is published in the June 1, 2018 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of July 9, 2018.

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
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) 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
11 available and the requirements and procedures for obtaining a license, required for
12 employment as a 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) "Comprehensive Administration of Credentials for Teachers in Utah Schools" or
18 "CACTUS" means the electronic file maintained on all licensed Utah educators including
19 information such as:

20 (a) personal directory information;

21 (b) educational background;

22 (c) endorsements;

23 (d) employment history; and

24 (e) a record of disciplinary action taken against the educator.

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

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

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

35 (i) Early Childhood;

36 (ii) Elementary;

37 (iv) Secondary;

38 (v) Educational Leadership

39 (vi) Career and Technical Education or "CTE";

40 (vii) School Counselor;

41 (viii) School Psychologist;

42 (ix) Special Education;

43 (x) Preschool Special Education;

44 (xi) Deaf Education;

45 (xii) Speech-Language Pathologist;

46 (xiii) Speech-Language Technician;

47 (xiv) School Social Worker; and

48 (xv) Communication Disorders.

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

52 (7) "Renewal" means reissuing or extending the length of a license consistent with
53 R277-500.

54 **R277-301-3. Program Approval and Requirements.**

55 (1) The Superintendent shall accept educator license recommendations from
56 educator preparation programs that have applied for Board approval and have met the
57 requirements described in this Rule R277-301 and the Standards for Program Approval
58 established in:

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59 (a) Rule R277-504;

60 (b) Rule R277-505; or

61 (c) Rule R277-506.

62 (2) The Superintendent may establish deadlines and uniform forms and procedures
63 for all aspects of program licensing approval.

64 (3) To be approved for license recommendation an educator preparation program
65 shall:

66 (a) have a physical location in Utah where students attend classes or if the program
67 provides only online instruction:

68 (i) have the program's primary headquarters located in Utah; and

69 (ii) be licensed to do business in Utah through the Utah Department of Commerce;

70 (b) include requirements designed to ensure that the educator is able to meet the
71 Utah Effective Educator Standards established in R277-530;

72 (c) establish entry requirements, approved by the Superintendent, that are designed
73 to ensure that only high quality individuals enter the licensure program, which include
74 measures of:

75 (i) previous academic success;

76 (ii) disposition for employment in an educational setting; and

77 (iii) basic skills in reading, writing, and mathematics; and

78 (d) include a pedagogical performance assessment meeting standards established
79 by the Superintendent for all new students enrolled in the program after January 1, 2020
80 in all license areas in which such an assessment is available.

81 (4) The Superintendent shall lead the approval review for any Board-approved
82 educator preparation program seeking to maintain or receive program approval.

83 (5) The Superintendent shall be responsible for:

84 (a) observing and monitoring the approval review process;

85 (b) reviewing subject specific programs to determine if the program meets state
86 standards for licensure in specific areas;

87 (c) reviewing program procedures to ensure that Board requirements for licensure
88 are followed; and

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89 (d) reviewing licensure candidate files to determine if the program followed Board
90 requirements for licensure.

91 (6) After completion of the approval review site visit, a Board-approved educator
92 preparation program, working with the Superintendent, shall prepare and submit a
93 program approval request for consideration by the Board that includes:

- 94 (a) a program summary;
- 95 (b) approval review findings;
- 96 (c) program areas of distinction;
- 97 (d) program enrollment; and
- 98 (e) program goals and direction.

99 (7) If the program approval request is approved by the Board, the program shall be
100 considered Board-approved until the next scheduled approval review visit.

101 (8)(a) Notwithstanding Subsection (7), the Superintendent may place a program on
102 probation for:

- 103 (i) failure to meet program requirements detailed in applicable Board rules; or
- 104 (ii) submission of inadequate or incomplete information in a report required under
105 this R277-301.

106 (b) The Board may revoke its approval of a probationary program that fails to meet
107 probationary requirements with at least one year's notice.

108 (9) If a new educator preparation program seeks Board approval or a previously
109 Board-approved educator preparation program seeks approval for additional license area
110 preparation and endorsements, the program shall submit an application to the
111 Superintendent including:

- 112 (a) information detailing the exact license areas of concentration and endorsements
113 that the program intends to award;
- 114 (b) detailed program requirement information;
- 115 (c) detailed information showing how the program will ensure that the educator
116 satisfies all standards in the Utah Effective Educator Standards established in Rule
117 R277-530 and Professional Educator Standards established in Rule R277-515;
- 118 (d) information about program timelines and anticipated enrollment.

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119 (10) The Board shall approve or deny applications for new educator preparation
120 programs.

121 (11)(a) The Superintendent shall review and approve or deny applications from
122 previously Board-approved educator preparation programs desiring Board approval for
123 additional license areas and endorsements.

124 (b) The Superintendent may grant preliminary approval pending Utah State Board
125 of Regents approval of a new program if the program is within a public institution.

126 (12) An educator preparation program seeking Board approval may apply to the
127 Board for probationary approval for a maximum of three years contingent on the
128 completion of the approval process.

129 (13) A Board-approved educator preparation program shall submit an annual report
130 to the Superintendent by July 1 of each year, which shall include the following:

131 (a) student enrollment counts designated by anticipated license area of
132 concentration and endorsement and disaggregated by gender and ethnicity;

133 (b) information explaining any significant changes to program requirements or
134 content;

135 (c) the program's response to areas of concern or areas of focus identified by the
136 Superintendent; and

137 (d) information regarding any program-determined areas of concern or areas of
138 focus and the program's planned response.

139 (14) The Superintendent shall provide reporting criteria to Board-approved educator
140 preparation programs regarding the annual report and designated areas of concern or
141 focus by January 31 annually.

142 (15) An individual that completes a Board-approved educator preparation program
143 may be recommended for licensure within five years of program completion if the individual
144 meets current licensing requirements.

145 (16)(a) If five years have passed since an individual completed a Board-approved
146 preparation program, the individual may be recommended for licensure following review
147 by the individual program.

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148 (b) The preparation program officials shall determine whether any content or
149 pedagogy requirement previously met meets current program standards and if additional
150 requirements are necessary to recommend licensure.

151 (c) The individual shall complete all requirements established by program officials
152 before receiving a license recommendation from the program.

153 **R277-301-4. License Structure.**

154 (1) Utah educator licenses include the following licenses:

155 (a) Associate educator license;

156 (b) Professional educator license; and

157 (c) LEA-specific educator license.

158 (2) All new Utah educator licenses shall include general, content knowledge, and
159 pedagogical requirements.

160 (3) The Superintendent may only issue a single active Utah educator license to an
161 individual.

162 (4) An educator license shall include at least one area of concentration.

163 (5) License areas of concentration and endorsements shall have a designation of:

164 (a) associate;

165 (b) professional; or

166 (c) LEA-specific.

167 (6) An associate educator license may only include associate or LEA-specific
168 license areas of concentration and endorsements.

169 (7) An LEA-specific educator license may only include LEA-specific license areas
170 of concentration and endorsements.

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

173 (9) The Superintendent shall review, adopt, and establish passing standards for all
174 assessments required for educator licensing.

175 (10)(a) All licenses expire on June 30 of the year of expiration and may be renewed

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176 any time after January 1 of the same year.

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

178 **R277-301-5. Associate Educator License Requirements.**

179 (1) The Superintendent shall issue an associate educator license to an individual
180 that applies for the license and that meets all requirements in this Section R277-301-5.

181 (2) An associate educator license, license area, or endorsement is valid for two
182 years.

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

184 (a) the individual has less than two years of experience in a Utah public or
185 accredited private school; or

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

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

189 (a) completion of a criminal background check including review of any criminal
190 offenses and clearance in accordance with Rule R277-214;

191 (b) completion of the educator ethics review described in R277-500 within one
192 calendar year prior to the application; and

193 (c) one of the following:

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

195 (ii) current enrollment in a university-based educator preparation program that will
196 result in a bachelor's degree or higher from a regionally accredited institution; or

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

198 (5) The content knowledge requirements for an associate educator license shall
199 include:

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

202 (i) mathematics;

203 (ii) reading/language arts;

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- 204 (iii) social studies; and
- 205 (iv) science;
- 206 (b) for a secondary or CTE license area with a content endorsement, one of the
- 207 following:
- 208 (i) passage of a content knowledge test approved by the Superintendent, where
- 209 available;
- 210 (ii) a bachelor's degree or higher with a major in the content area from a regionally
- 211 accredited university; or
- 212 (iii) enrollment in a program that will result in a degree described in Subsection
- 213 (5)(b)(ii); and
- 214 (c) for all other license areas, enrollment in a Board-approved educator preparation
- 215 program.
- 216 (6) Additional requirements for an associate educator license shall include:
- 217 (a) successful completion of professional learning modules created or approved by
- 218 the Superintendent in:
- 219 (i) educator ethics;
- 220 (ii) classroom management and instruction;
- 221 (iii) basic special education law and instruction;
- 222 (iv) the Utah Effective Teaching Standards described in R277-530; or
- 223 (b) enrollment in a Board-approved educator preparation program.
- 224 (7) An individual holding a professional educator license may receive an associate
- 225 license area or endorsement in additional areas if all the requirements of this section are
- 226 met.
- 227 (8) A license applicant who has received or completed license preparation activities
- 228 inconsistent with this rule may present compelling information and documentation for
- 229 review and approval by the Superintendent to satisfy the associate educator license
- 230 requirements.
- 231 (9) The Superintendent shall designate a panel of at least three Board staff
- 232 members to review an appeal made under subsection (8).

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233 (10) An LEA that employs an individual that holds an associate educator license
234 shall develop a personalized professional learning plan designed to support the educator
235 in meeting the requirements for a professional educator license no later than 60 days after
236 beginning work in the classroom, which shall:

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

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

240 (c) consider:

241 (i) previous education related experience; and

242 (ii) previous educational preparation activities.

243 (11) An educator with an associate educator license may upgrade to a professional
244 educator license at any time prior to expiration of the associate educator license if the
245 educator meets all requirements of Section R277-301-6.

246 **R277-301-6. Professional Educator License Requirements.**

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

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

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

252 (a) all general requirements for an associate educator license under Subsection
253 R277-301-5(4); and

254 (b) one of the following:

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

256 (ii) a recommendation from a Utah LEA;

257 (iii) a recommendation from an accredited private school in Utah; or

258 (iv) a standard educator license in the area issued by a licensing jurisdiction outside
259 of Utah that is currently valid or is renewable consistent with Section 53E-6-307.

260 (4) The content knowledge requirements for a professional educator license shall

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261 include:

262 (a) all content knowledge requirements for an associate educator license under
263 Subsection R277-301-5(5); and

264 (b) demonstration of all content knowledge competencies as established by the
265 Superintendent.

266 (5) The pedagogical requirements for professional educator license shall include:

267 (a) demonstration of all pedagogical competencies as established by the
268 Superintendent; and

269 (b) passage of a pedagogical performance assessment meeting standards
270 established by the Superintendent, where available.

271 (6) An individual holding a Utah level 1, level 2, or level 3 educator license on
272 January 1, 2020 is considered to have met the pedagogical requirements described in
273 Subsection (5).

274 (7) An individual holding a Utah level - APT educator license that is employed by a
275 Utah LEA and an individual enrolled in ARL or a Board-approved educator preparation
276 program on January 1, 2020 may meet the content knowledge and pedagogical
277 requirements described in this Section R277-301-6 by completing all requirements of the
278 applicable program.

279 (8) An individual holding a Utah professional educator license and license area in
280 early childhood education, elementary, secondary, CTE, special education, or deaf
281 education is considered to have met the pedagogical performance assessment
282 requirement of Subsection (5)(b) if applying to add any of the license areas in the
283 subsection.

284 (9) A license applicant who has received or completed license preparation activities
285 inconsistent with this rule may present compelling information and documentation for
286 review and approval by the Superintendent to satisfy the professional educator license
287 requirements.

288 (10) The Superintendent shall designate a panel of at least three Board staff
289 members to review an appeal made under Subsection (9),

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290 **R277-301-7. Educator Licenses Issued by Licensing Jurisdictions Outside of Utah.**

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

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

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

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

304 (5) Individuals with 4 or more years of successful experience in a public or
305 accredited private school under a standard license issued by another jurisdiction shall be
306 considered to have met both the content knowledge and pedagogical assessment
307 requirements in the areas and subjects taught.

308 **R277-301-8. LEA-specific Educator License Requirements**

309 (1) The Superintendent may issue an LEA-specific educator license to an individual
310 if:

311 (a) the LEA requesting the LEA-specific educator license has an adopted policy,
312 which includes:

313 (i) educator preparation and support:

314 (A) as established by the LEA; and

315 (B) aligned with the Utah Effective Teaching Standards described in R277-530;

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

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

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318 (b) an LEA governing board applies on behalf of the individual; and
319 (c) the individual meets all the requirements in this Section R277-301-8.
320 (2)(a) Except as provided in Subsection (2)(b), an LEA governing board may request
321 an LEA-specific educator license for a license area described in Subsection R277-301-
322 2(5).

323 (b) An LEA may not request an LEA-specific educator license for a license area in:
324 (i) Special Education; or
325 (ii) Preschool Special Education.

326 (3) An LEA-specific license, license area, or endorsement is valid only within the
327 requesting LEA.

328 (4) An LEA-specific license, license area, or endorsement is valid for one, two, or
329 three years in accordance with the LEA governing board's application.

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

332 (6) The Board may require that subsequent renewals be approved by the Board on
333 a case by case basis.

334 (7) An LEA-specific license expires immediately if the educator's employment with
335 the LEA that requested the license ends.

336 (8) The general requirements for an LEA-specific educator license shall include:

337 (a) completion of a criminal background check including review of any criminal
338 offenses and clearance in accordance with Rule R277-214;

339 (b) completion of the educator ethics review described in Rule R277-500 within one
340 calendar year prior to the application; and

341 (c) approval of the request by the LEA governing board in a public meeting no more
342 than 60 days prior to the application.

343 (9) The content knowledge and pedagogical requirements for an LEA-specific
344 educator license shall be established by the LEA governing board.

345

346 **R277-301-9. Requirements for LEAs**

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347 (1) An LEA shall provide a mentoring program that provides a trained mentor
348 educator and annual mentoring plan for:

349 (a) any educators holding an associate educator license or an LEA-specific educator
350 license; and

351 (b) any educator holding a professional educator license with less than three years
352 of experience.

353 (2) A trained mentor educator under Subsection (1) shall hold a professional
354 educator license and shall, where possible:

355 (a) perform substantially the same duties as the educator with release time to work
356 as a mentor; or

357 (b) be assigned as an instructional coach or equivalent position.

358 (3) A trained mentor educator under Subsection (1) shall assist the educator to meet
359 the Utah Effective Educator Standards established in Rule R277-530, but may not serve
360 as an evaluator of the educator.

361 (4) A mentoring program under Subsection (1) shall include:

362 (a) a formal professional learning plan and LEA support in meeting the requirements
363 of a professional license area; and

364 (b) if the educator holds an LEA-specific educator license, on-going training on
365 educator ethics and special education.

366 (5) An LEA school that requests LEA-specific licenses, license areas, or
367 endorsements shall prominently post the following information on each school's website:

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

370 (b) the percentage of the types of licenses, license areas, and endorsements held
371 by educators employed in the school based on the employees' FTE in CACTUS; and

372 (c) a link to the Utah Educator Look-up tool provided by the Superintendent in
373 accordance with Subsection R277-515-7(6).

374

375 **R277-301-10. Superintendent Annual Report to the Board.**

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376 The Superintendent shall annually report to the Board on licensing, including:

377 (1) educator licensing;

378 (2) educator preparation; and

379 (3) equitable distribution of teachers.

380 **R277-301-11. Effective Date.**

381 (1) This rule will be effective beginning January 1, 2020.

382 (2) This rule will supersede Rule R277-502 on January 1, 2020.

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

384 **Date of Enactment or Last Substantive Amendment: 2018**

385 **Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53A-6-104; 53A-1-401**