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MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Brad C. Smith
Chief Executive Officer

DATE: February 5-6, 2015

ACTION: R277-502 *Educator Licensing and Data Retention* (Amendment)

Background:

Utah Code 63M-1-3208 requires the State Board of Education to collaborate with the STEM Action Center to develop STEM education endorsements and requires the State Board to make rules to establish how STEM endorsements will be valued on a salary scale for educators.

Key Points:

The proposed amendment will clarify R277-502-5-C-1 to more explicitly link STEM endorsement courses to LEA salary schedules.

Anticipated Action:

It is proposed that the Law and Licensing Committee consider approving R277-502 *Educator Licensing and Data Retention* as amended on first reading, and if approved by the Committee, the Board consider approving R277-502 on second reading.

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1 **R277. Education, Administration.**

2 **R277-502. Educator Licensing and Data Retention.**

3 **R277-502-1. Definitions.**

4 A. "Accredited" means a Board-approved educator
5 preparation program accredited by the National Council for
6 Accreditation of Teacher Education (NCATE), the Teacher
7 Education Accreditation Council (TEAC) or the Council for
8 Accreditation of Educator Preparation (CAEP).

9 B. "Accredited school" for purposes of this rule, means
10 a public or private school that meets standards essential for
11 the operation of a quality school program and has received
12 formal approval through a regional accrediting association.

13 C. "Authorized staff" for purposes of this rule means an
14 individual designated by the USOE or an LEA and approved by
15 the USOE and who has completed CACTUS training.

16 D. "Board" means the Utah State Board of Education.

17 E. "Comprehensive Administration of Credentials for
18 Teachers in Utah Schools (CACTUS)" means the electronic file
19 maintained on all licensed Utah educators. The file includes
20 information such as:

21 (1) personal directory information;

22 (2) educational background;

23 (3) endorsements;

24 (4) employment history; and

25 (5) a record of disciplinary action taken against the
26 educator.

27 F. "ESEA subject" means English, reading or language
28 arts, mathematics, science, foreign languages, civics and
29 government, economics, arts, history, and geography under the
30 Elementary and Secondary Education Act (ESEA).

31 G. "LEA" means a local education agency, including local
32 school boards/public school districts, charter schools, and,
33 for purposes of this rule, the Utah Schools for the Deaf and
34 the Blind.

35 H. "Letter of Authorization" means a designation given
36 to an individual for one year, such as an out-of-state
37 candidate or individual pursuing an alternative license, who

38 has not completed the requirements for a Level 1, 2, or 3
39 license or who has not completed necessary endorsement
40 requirements and who is employed by an LEA.

41 I. "Level 1 license" means a Utah professional educator
42 license issued upon completion of a Board-approved educator
43 preparation program or an alternative preparation program, or
44 to an applicant that holds an educator license issued by
45 another state or country that has met all ancillary
46 requirements established by law or rule.

47 J. "Level 2 license" means a Utah professional educator
48 license issued after satisfaction of all requirements for a
49 Level 1 license and:

50 (1) satisfaction of requirements under R277-522 for
51 teachers whose employment as a Level 1 licensed educator began
52 after January 1, 2003 in a Utah public LEA or accredited
53 private school;

54 (2) at least three years of successful education
55 experience in a Utah public LEA or accredited private school
56 or one year of successful education experience in a Utah
57 public LEA or accredited private school and at least three
58 years of successful education experience in a public LEA or
59 accredited private school outside of Utah;

60 (3) additional requirements established by law or rule.

61 K. "Level 3 license" means a Utah professional educator
62 license issued to an educator who holds a current Utah Level
63 2 license and has also received National Board Certification
64 or a doctorate in education or in a field related to a content
65 area in a unit of the public education system or an accredited
66 private school, or holds a Speech-Language Pathology area of
67 concentration and has obtained American Speech-Language
68 hearing Association (ASHA) certification.

69 L. "License areas of concentration" means designations
70 to licenses obtained by completing a Board-approved educator
71 preparation program or an alternative preparation program in
72 a specific area of educational studies to include the
73 following: Early Childhood (K-3), Elementary (K-6),
74 Elementary (1-8), Middle (still valid, but not issued after

75 1988, 5-9), Secondary (6-12), Administrative/Supervisory (K-
76 12), Career and Technical Education, School Counselor, School
77 Psychologist, School Social Worker, Special Education (K-12),
78 Preschool Special Education (Birth-Age 5), Communication
79 Disorders, Speech-Language Pathologist, Speech-Language
80 Technician. License areas of concentration may also bear
81 endorsements relating to subjects or specific assignments.

82 M. "License endorsement (endorsement)" means a specialty
83 field or area earned through completing required course work
84 established by the USOE or through demonstrated competency
85 approved by the USOE; the endorsement shall be listed on the
86 professional educator license indicating the specific
87 qualification(s) of the holder.

88 N. "Professional learning plan" means a plan developed
89 by an educator in collaboration with the educator's
90 supervisor consistent with R277-500 detailing appropriate
91 professional learning activities for the purpose of renewing
92 the educator's license.

93 O. "Renewal" means reissuing or extending the length of
94 a license consistent with R277-500.

95 P. "State Approved Endorsement Program (SAEP)" means a
96 plan in place developed between the USOE and a licensed
97 educator to direct the completion of endorsement requirements
98 by the educator consistent with R277-520-11.

99 Q. "USOE" means the Utah State Office of Education.

100 **R277-502-2. Authority and Purpose.**

101 A. This rule is authorized by Utah Constitution Article
102 X, Section 3 which vests general control and supervision of
103 the public school system under the Board, by Section 53A-6-104
104 which gives the Board power to issue licenses, and Section
105 53A-1-401(3) which allows the Board to adopt rules in
106 accordance with its responsibilities.

107 B. This rule specifies the types of license levels and
108 license areas of concentration available and procedures for
109 obtaining a license, required for employment as a licensed
110 educator in the public schools of Utah. The rule provides a

111 process and criteria for educators whose licenses have lapsed
112 and return to the teaching profession. All licensed educators
113 employed in the Utah public schools shall be licensed
114 consistent with this rule in order for the district to receive
115 full funding under Section 53A-17a-107(2).

116 **R277-502-3. Program Approval and Requirements.**

117 A. The Board shall accept educator license
118 recommendations from educator preparation programs that have
119 applied for Board approval and have met the requirements
120 described in this rule and the Standards for Program Approval
121 established by the Board in R277-504, R277-505, or R277-506 as
122 determined by USOE.

123 B. The Board, or its designee, shall establish deadlines
124 and uniform forms and procedures for all aspects of licensing.

125 C. To be approved for license recommendation the educator
126 preparation program shall:

127 (1) be accredited by NCATE or TEAC; or

128 (2) be accredited by CAEP using the CAEP Program Review
129 with National Recognition or CAEP Program Review with feedback
130 options; and

131 (3) have a physical location in Utah where students
132 attend classes or if the program provides only online
133 instruction:

134 (a) the program's primary headquarters shall be located
135 in Utah and

136 (b) the program shall be licensed to do business in Utah
137 through the Utah Department of Commerce;

138 (4) include coursework designed to ensure that the
139 educator is able to meet the Utah Effective Teaching Standards
140 and Educational Leadership Standards established in R277-530;

141 (5) in the case of content endorsements, include
142 coursework that is, at minimum, equivalent to the course
143 requirements for the endorsement as established by USOE;

144 (6) establish entry requirements designed to ensure that
145 only high quality individuals enter the licensure program;
146 requirements shall include the following minimum components,

147 beginning August 1, 2014:

148 (a) a minimum high school/college GPA of 3.0; and

149 (b) a USOE-cleared fingerprint background check; and

150 (c) a passing score on a Board-approved basic skills
151 test; or

152 (d) an ACT composite score of 21 with a verbal/English
153 score no less than 20 and a mathematics/quantitative score of
154 no less than 19; or

155 (e) a combined SAT score of 1000 with neither mathematics
156 nor verbal below 450.

157 (7) include a student teaching or intern experience that
158 meets the requirements detailed in R277-504, R277-505, and
159 R277-506.

160 D. An institution may waive any of the entrance
161 requirements provided in R277-502-3C(6) based on program
162 established guidelines for no more than 10 percent of an
163 entrance cohort.

164 E. USOE representatives shall be a part of the
165 accrediting team for any Board-approved educator preparation
166 program seeking to maintain or receive program approval. USOE
167 representatives shall be responsible for:

168 (1) observing and monitoring the accreditation process;

169 (2) reviewing subject specific programs to determine if
170 the program meets state standards for licensure in specific
171 areas;

172 (3) reviewing program procedures to ensure that Board
173 requirements for licensure are followed;

174 (4) reviewing licensure candidate files to determine if
175 Board requirements for licensure are followed by the program.

176 F. After completion of the accreditation site visit, a
177 Board-approved educator preparation program, working with the
178 USOE, shall prepare and submit a program approval request for
179 consideration by the Board that includes:

180 (1) program summary;

181 (2) accreditation findings;

182 (3) program areas of distinction;

183 (4) program enrollment;

184 (5) program goals and direction.

185 G. If the program approval request is approved by the
186 Board, the program shall be considered Board-approved until
187 the next scheduled accreditation visit unless the program is
188 placed on probation by the USOE for failure to meet program
189 requirements detailed in applicable Board rules and program
190 approval is revoked by the Board under R277-502-30.

191 H. New educator preparation programs that seek Board
192 approval or previously Board-approved educator preparation
193 programs that seek approval for additional license area
194 preparation and endorsements shall submit applications to USOE
195 including:

196 (1) information detailing the exact license areas of
197 concentration and endorsements that the program intends to
198 award;

199 (2) detailed course information, including required
200 course lists, course descriptions, and course syllabi for all
201 courses that will be required as part of a program;

202 (3) detailed information showing how the required
203 coursework will ensure that the educator satisfies all
204 standards in the Utah Effective Teaching Standards and
205 Educational Leadership Standards established in R277-530 and
206 Professional Educator Standards established in R277-515;

207 (4) information about program timelines and anticipated
208 enrollment.

209 I. Applications for new educator preparation programs
210 shall be approved by the Board.

211 J. Applications for previously Board-approved educator
212 preparation programs desiring Board approval for additional
213 license areas and endorsements:

214 (1) shall be reviewed and approved by USOE;

215 (2) may receive preliminary approval pending Utah State
216 Board of Regents approval of the new program if the program is
217 within a public institution.

218 K. An educator preparation program seeking accreditation
219 may apply to the Board for probationary approval for a maximum
220 of three years contingent on the completion of the

221 accreditation process.

222 L. A previously Board-approved educator preparation
223 program shall submit an annual report to the USOE by July 1 of
224 each year. The report shall summarize the institution's
225 annual accreditation report and shall include the following:

226 (1) student enrollment counts designated by anticipated
227 license area of concentration and endorsement and
228 disaggregated by gender and ethnicity;

229 (2) information explaining any significant changes to
230 course requirements or course content;

231 (3) the program's response to USOE-identified areas of
232 concern or areas of focus;

233 (4) information regarding any program-determined areas of
234 concern or areas of focus and the program's planned response;

235 (5) a summary explanation of students admitted under the
236 waiver identified in R277-502-3D and an explanation of the
237 waiver.

238 M. The USOE shall provide reporting criteria to Board-
239 approved educator preparation programs regarding the annual
240 report and USOE-designated areas of concern or focus by
241 January 31 annually.

242 N. Educator preparation programs that submit inadequate
243 or incomplete information to the USOE may be placed on a
244 probationary status by USOE.

245 O. Board-approved educator preparation programs on
246 probationary status that continue to fail to meet requirements
247 may have their license recommendation status revoked in full
248 or in part by the Board with at least one year notice.

249 P. An individual that completes a Board-approved educator
250 preparation program may be recommended for licensure within
251 five years of program completion if the individual meets
252 current licensing requirements.

253 Q. If five years have passed since an individual
254 completed a Board-approved preparation program, the individual
255 may be recommended for licensure following review by the
256 individual program. The preparation program officials shall
257 determine whether any content or pedagogy coursework

258 previously completed meets current program standards and if
259 additional coursework, hours or other activities are
260 necessary. The individual shall complete all work required by
261 the program officials before receiving a license
262 recommendation.

263 **R277-502-4. License Levels, Procedures, and Periods of**
264 **Validity.**

265 A. Level 1 License Requirements

266 (1) An initial license, the Level 1 license, is issued to
267 an individual who is recommended by a Board-approved educator
268 preparation program or approved alternative preparation
269 program, or an educator with a professional educator license
270 from another state.

271 (a) LEAs and Board-approved educator preparation programs
272 shall cooperate in preparing candidates for the educator Level
273 1 license. The resources of both may be used to assist
274 candidates in preparation for licensing.

275 (b) The recommendation indicates that the individual has
276 satisfactorily completed the programs of study required for
277 the preparation of educators and has met licensing standards
278 in the license areas of concentration for which the individual
279 is recommended.

280 (2) The Level 1 license is issued for three years.

281 (3) A Level 1 license holder shall satisfy all
282 requirements of R277-522, Entry Years Enhancements (EYE) for
283 Quality Teaching - Level 1 Utah Teachers.

284 (4) An educator qualified to teach any ESEA subject shall
285 be considered Highly Qualified in at least one ESEA subject
286 prior to moving from Level 1 to Level 2.

287 (5) A license applicant who has received or completed
288 license preparation activities or coursework inconsistent with
289 this rule may present compelling information and documentation
290 for review and approval by the USOE to satisfy the licensing
291 requirements.

292 (6) If an educator has taught for three years in a K-12
293 public education system in Utah, a Level 1 license may only be

294 renewed if:

295 (a) the employing LEA has requested a one year extension
296 consistent with R277-522, Entry Years Enhancements (EYE) for
297 Quality Teaching - Level 1 Utah Teachers; or

298 (b) the individual has continuous experience as a speech
299 language pathologist in a clinical setting.

300 B. Level 2 License Requirements

301 (1) A Level 2 license may be issued by the Board to a
302 Level 1 license holder upon satisfaction of all USOE
303 requirements for the Level 2 license and upon the
304 recommendation of the employing LEA.

305 (2) The recommendation shall be made following the
306 completion of three years of successful, professional growth
307 and educator experience, satisfaction of R277-522, Entry Years
308 Enhancements (EYE) for Quality Teaching - Level 1 Utah
309 Teachers, any additional requirements imposed by the employing
310 LEA, and before the Level 1 license expires.

311 (3) A Level 2 license shall be issued for five years and
312 shall be valid unless suspended or revoked for cause by the
313 Board.

314 (4) The Level 2 license may be renewed for successive
315 five year periods consistent with R277-500, Educator Licensing
316 Renewal.

317 C. Level 3 License Requirements

318 (1) A Level 3 license may be issued by the Board to a
319 Level 2 license holder who:

320 (a) has achieved National Board Certification; or

321 (b) has a doctorate in education in a field related to a
322 content area in a unit of the public education system or an
323 accredited private school; or

324 (c) holds a Speech-Language Pathology area of
325 concentration and has obtained American Speech-Language
326 Hearing Association (ASHA) certification.

327 (2) A Level 3 license is valid for seven years unless
328 suspended or revoked for cause by the Board.

329 (3) The Level 3 license may be renewed for successive
330 seven year periods consistent with R277-500.

331 (4) A Level 3 license shall revert to a Level 2 license
332 if the holder fails to maintain National Board Certification
333 status or fails to maintain a current Certificate of Clinical
334 Competence from the American Speech-Language-Hearing
335 Association.

336 D. License Renewal Timeline

337 Licenses expire on June 30 of the year of expiration
338 recorded on CACTUS and may be renewed any time after January
339 of the same year. Responsibility for license renewal rests
340 solely with the holder.

341 **R277-502-5. Professional Educator License Areas of**
342 **Concentration, and Endorsements and Under-Qualified Employees.**

343 A. Unless excepted under rules of the Board, to be
344 employed in the public schools in a capacity covered by the
345 following license areas of concentration, a person shall hold
346 a valid license issued by the Board in the respective license
347 areas of concentration:

- 348 (1) Early Childhood (K-3);
- 349 (2) Elementary (1-8);
- 350 (3) Elementary (K-6);
- 351 (4) Middle (still valid, and issued before 1988, 5-9);
- 352 (5) Secondary (6-12);
- 353 (6) Administrative/Supervisory (K-12);
- 354 (7) Career and Technical Education;
- 355 (8) School Counselor;
- 356 (9) School Psychologist;
- 357 (10) School Social Worker;
- 358 (11) Special Education (K-12);
- 359 (12) Preschool Special Education (Birth-Age 5);
- 360 (13) Communication Disorders;
- 361 (14) Speech-Language Pathologist;
- 362 (15) Speech-Language Technician.

363 B. Under-qualified educators:

364 (1) Educators who are licensed and hold the appropriate
365 license area of concentration but who are working out of their
366 endorsement area(s) shall request and prepare an SAEP to

367 complete the requirements of an endorsement with a USOE
368 education specialist; or

369 (2) LEAs may request Letters of Authorization from the
370 Board for educators employed by LEAs if educators have not
371 completed requirements for areas of concentration or
372 endorsements.

373 (a) An approved Letter of Authorization is valid for one
374 year.

375 (b) Educators may be approved for no more than three
376 Letters of Authorization throughout their employment in Utah
377 schools. The State Superintendent of Public Instruction or
378 designee may grant exceptions to the three Letters of
379 Authorization limitation on a case by case basis following
380 specific approval of the request by the LEA governing board.
381 Letters of Authorization approved prior to the 2000-2001
382 school year shall not be counted in this limit.

383 (c) If an education employee's Letter of Authorization
384 expires before the individual is approved for licensing, the
385 employee falls into under-qualified status.

386 C. License areas of concentration may be endorsed to
387 indicate qualification in a subject or content area.

388 (1) ~~[LEAs shall recognize a STEM endorsement as a~~
389 ~~component of the LEA's salary scale.]~~A STEM endorsement shall
390 be recognized as a minimum of 16 semester hours of university
391 credit toward lane change on an LEA salary schedule.

392 (a) The USOE shall determine the mathematics-,
393 engineering-, science-, and technology-related courses and
394 experiences necessary for [the]STEM endorsements.

395 (b) The USOE shall determine which content area
396 endorsements qualify as STEM endorsements.

397 (2) An endorsement is not valid for employment purposes
398 without a current license and license area of concentration.

399 **R277-502-6. Returning Educator Relicensure.**

400 A. A previously licensed educator with an expired
401 license may renew an expired license upon satisfaction of the
402 following:

403 (1) Completion of criminal background check including
404 review of any criminal offenses and clearance by the Utah
405 Professional Practices Advisory Commission;

406 (2) Employment by an LEA;

407 (3) Completion of a one-year professional learning plan
408 developed jointly by the school principal or charter school
409 director and the returning educator consistent with R277-500
410 that also considers the following:

411 (a) previous successful public school teaching
412 experience;

413 (b) formal educational preparation;

414 (c) period of time between last public teaching
415 experience and the present;

416 (d) school goals for student achievement within the
417 employing school and the educator's role in accomplishing
418 those goals;

419 (e) returning educator's professional abilities, as
420 determined by a formal discussion and observation process
421 completed within the first 30 days of employment; and

422 (f) completion of additional necessary professional
423 development for the educator, as determined jointly by the
424 principal/school and educator.

425 (4) Filing of the professional development plan within 30
426 days of hire;

427 (5) Successful completion of required Board-approved
428 exams for licensure;

429 (6) Satisfactory experience as determined by the LEA with
430 a trained mentor; and

431 (7) Submission to the USOE of the completed and signed
432 Return to Original License Level Application, available on the
433 USOE website prior to June 30 of the school year in which the
434 educator seeks to return.

435 B. The Professional Learning Plan is independent of the
436 License Renewal Point requirements in R277-500-3C.

437 C. Returning educators who previously held a Level 2 or
438 Level 3 license shall be issued a Level 1 license during the
439 first year of employment. Upon completion of the requirements

440 listed in R277-502-6A and a satisfactory LEA evaluation, the
441 employing LEA may recommend the educator's return to Level 2
442 or Level 3 licensure.

443 D. Returning educators who taught less than three
444 consecutive years in a public or accredited private school
445 shall complete the Early Years Enhancement requirements before
446 moving from Level 1 to Level 2 licensure.

447 **R277-502-7. Professional Educator License Reciprocity.**

448 A. Utah is a member of the Compact for Interstate
449 Qualification of Educational Personnel under Section 53A-6-
450 201.

451 B. A Level 1 license may be issued to an individual
452 holding a professional educator license in another state who
453 has completed preparation equivalent to Board-approved
454 standards and who has completed Board-approved testing, as
455 required by R277-503-3.

456 (1) If the applicant has three or more continuous years
457 of previous educator experience in a public or accredited
458 private school, a Level 2 license may be issued upon the
459 recommendation of the employing Utah LEA after at least one
460 year.

461 (2) If the applicant has less than three years of
462 previous educator experience in a public or accredited private
463 school, a Level 2 license may be issued following satisfaction
464 of the requirements of R277-522, Entry Years Enhancements
465 (EYE) for Quality Teaching - Level 1 Utah Teachers.

466 **R277-502-8. Professional Educator License Fees.**

467 A. The Board shall establish a fee schedule for the
468 issuance and renewal of licenses and endorsements consistent
469 with 53A-6-105. All endorsements to which the applicant is
470 entitled may be issued or renewed with the same expiration
471 date for one licensing fee.

472 B. A fee may be charged for a valid license to be
473 reprinted or for an endorsement to be added.

474 C. All costs for testing, evaluation, and course work

475 shall be borne by the applicant unless other arrangements are
476 agreed to in advance by the employing LEA.

477 D. Costs to review nonresident educator applications may
478 exceed the cost to review resident applications due to the
479 following:

480 (1) The review is necessary to ensure that nonresident
481 applicants' training satisfies Utah's course and curriculum
482 standards.

483 (2) The review of nonresident licensing applications is
484 time consuming and potentially labor intensive.

485 E. Differentiated fees may be set consistent with the
486 time and resources required to adequately review all
487 applicants for educator licenses.

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

489 **Date of Enactment or Last Substantive Amendment: [~~October 9,~~**
490 **2014]2015**

491 **Notice of Continuation: August 14, 2012**

492 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3;**
493 **53A-6-104; 53A-1-401(3)**