

R277. Education, Administration.

R277-311. Specialized Endorsements.

R277-311-1. Authority^[,] and Purpose^[,] ~~and Oversight Category~~^[.].

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law;

(c) Subsection 53E-3-501(1)(a), which directs the Board to make rules regarding the certification of educators; and

(d) Section 53G-10-507, which directs the Board to establish procedures and standards to certify teachers of driver education classes as driver license examiners.

(2) The purpose of this rule is establish standards for earning specialized endorsements in:

(a) driver education; and

(b) physical education.

~~[(3) This rule is categorized as Category 4 as described in Rule R277-111.]~~

R277-311-2. Definitions.

(1) "Driver License Division" or "DLD" means the Driver License Division of the Department of Public Safety.

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

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

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

(3) "Satisfactory driving record" means that an educator:

(a) holds a valid Utah automobile operator's license;

(b) has not had an automobile operator's license suspended or revoked during the three years immediately before applying for the endorsement;

(c) has not received an automobile operator's license suspension from a court for a non-traffic related issue;

(d) has not been convicted of more than one moving violation under Title 41, Chapter 6a, Traffic Code in any 12 month period over the last 36 months before applying for a driver education endorsement;

(e) has not been convicted of any moving violation under Title 41, Chapter 6a, Traffic Code, which resulted in a fatality;

(f) has not been convicted of a violation of Title 41, Chapter 6a, Part 5, Driving Under the Influence and Reckless Driving during the five years immediately before applying for a driver education endorsement;

(g) has not been convicted of two or more violations of Title 41, Chapter 6a, Part 5, Driving Under the Influence and Reckless Driving; and

(h) has not been convicted of a violation of Section 53-3-227 during the five years immediately before applying for a driver education endorsement.

R277-311-3. Driver Education Endorsement.

(1) The Superintendent shall issue a driver education endorsement to a licensee that meets the requirements of this Section R277-311-3 and holds a license area of concentration in one or more of the following areas:

(a) Secondary Education;

(b) Special Education;

(c) School Counselor; or

(d) Career and Technical Education.

(2) A driver education endorsement shall be valid for the same term as the underlying educator license.

(3) The Superintendent shall award a driver education endorsement if an educator:

(a) has a satisfactory driving record; and

(b) completes the following professional preparation:

(i) a minimum of 12 semester hours of professional learning in the area of driver and safety education, including a practicum covering classroom, on-street, simulator, and driving range instruction;

(ii) a minimum of two semester hours of driver education state law and policy through Utah Education Network;

(iii) a minimum of one semester hour of current first aid and CPR training approved by the Superintendent; and

(iv) a minimum of one semester hour of DLD online examiners training.

(4) Prior to receiving a driver education endorsement, an educator shall submit to the Superintendent a Functional Ability Evaluation Medical Report on a form provided by the DLD, completed by a health care professional, as defined in Subsection 53-3-302(2).

(5) The physical examination associated with the completion of the Functional Ability Evaluation Medical Report shall take place no earlier than three months prior to application.

(6) An educator with a driver education endorsement shall submit an updated report under Subsection (4) annually.

(7) The Superintendent shall refuse to issue a driver education endorsement or rescind a driver education endorsement if a medical condition exists that would result in:

(a) a restriction being imposed on the educator's driving privileges, with the exception of a corrective lenses restriction; or

(b) the denial of the educator's driving privileges.

([4]8) An educator shall hold a current driver education endorsement to administer written and driving tests for driver education classes under Section 53G-10-507.

([5]9) An educator shall hold a current driver education endorsement to be certified as a driver license examiner by the DLD.

(~~6~~10) To renew a driver education endorsement, an educator shall:

(a) complete:

(i) eight hours of professional development training every year; or

(ii) 40 hours of professional development training every five years before license renewal, which shall include at least one hour of DLD online examiners training; and

(b) provide proof of current first aid and CPR certification from a provider approved by the Superintendent.

(~~7~~11) An educator may complete professional development under Subsection (6), as follows:

(a) workshops provided by the DLD; or

(b) driver education and traffic safety training pre-approved by the Superintendent through:

(i) a state agency;

(ii) college or university; or

(iii) a professional education organization.

(~~8~~12)(a) The Superintendent shall administratively dissolve a driver education endorsement if an educator fails to maintain a satisfactory driving record.

(b) An administrative dissolution under Subsection (8)(a) shall have no effect on the underlying educator license or license area absent further Board action in accordance with Section 53E-6-604.

(~~9~~13) An educator whose endorsement was administratively dissolved under Subsection (8)(a), may apply for reinstatement of the endorsement upon re-obtaining a satisfactory driving record and meeting the renewal requirements of Subsection (6).

R277-311-4. Physical Education Endorsement.

(1) The Superintendent shall issue a physical education endorsement or adapted physical education endorsement to a licensee that meets the requirements of this Section R277-311-4 and holds a license area of concentration in one or more of the following areas:

- (a) Elementary Education;
- (b) Secondary Education; or
- (c) Special Education.

(2) A physical education endorsement or adapted physical education endorsement shall be valid for the same term as the underlying educator license.

(3) The Superintendent shall issue a physical education endorsement or adapted physical education endorsement if an educator:

(a)(i) completes university and professional development courses as required by the Superintendent; or

(ii) demonstrates competency, as required by the Superintendent; and

(b) provides proof of current first aid and CPR certification from a provider approved by the Superintendent.

(4) To renew a physical education endorsement or adapted physical education endorsement, an educator must provide proof of current first aid and CPR certification from a provider approved by the Superintendent.

KEY: endorsement; driver education; physical education

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Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401; 53E-3-501; 53G-10-507