



UTAH STATE BOARD OF EDUCATION

David L. Crandall, Chair David L. Thomas, First Vice Chair
Jennifer A. Johnson, Second Vice Chair

Dixie L. Allen
Laura Belnap
Leslie B. Castle
Barbara W. Corry

Brittney Cummins
Linda B. Hansen
Mark Huntsman
Jefferson Moss

C. Mark Openshaw
Spencer F. Stokes
Teryl Warner
Joel Wright

Brad C. Smith, Chief Executive Officer
Lorraine Austin, Board Secretary

MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Brad C. Smith
Chief Executive Officer

DATE: April 9-10, 2015

ACTION: R277-520 *Appropriate Licensing and Assignment of Teachers*
(Continuation and Amendment)

Background:

1. R277-520 *Appropriate Licensing and Assignment of Teachers* is due for its five-year review and continuation consistent with the Utah Administrative Rulemaking Act. The rule must be continued by July 1, 2015. Staff has reviewed R277-502 and determined that the rule continues to be necessary.
2. The rule has been amended to make it consistent with other current licensure rules.

Key Points:

1. The rule continues to be necessary as it defines the licensure requirements for teachers to be considered qualified for funds under R277-486 *Professional Staff Cost Program*
2. The proposed amendment defines the licensure requirements for non-teaching positions.
3. The proposed amendment updates the rule to be consistent with other licensure rules and removes language that is duplicated in other rules.

Anticipated Action:

It is proposed that the Law and Licensing Committee consider approving R277-520 for continuation and amendment on first reading and, if approved by the Committee, the Board consider approving R277-520 for continuation and amendment on second reading.

Contact: Sydnee Dickson, 801-538-7515
Diana Suddreth, 801-538-7739
Travis Rawlings, 801-538-7601

1 **R277. Education, Administration.**

2 **R277-520. Appropriate Licensing and Assignment of Teachers.**

3 **R277-520-[2]1. Authority and Purpose.**

4 A. This rule is authorized by Utah Constitution, Article
5 X, Section 3 which vests general control and supervision of
6 public education in the Board, Section 53A-1-401(3) which
7 gives the Board authority to adopt rules in accordance with
8 its responsibilities, and Section 53A-6-104(2)(a) which
9 authorizes the Board to rank, endorse, or classify licenses.
10 This rule is also necessary in response to ESEA NCLB.

11 B. The purpose of this rule is to provide criteria for
12 local boards to employ educators in appropriate assignments,
13 for the Board to provide state funding to local school boards
14 for appropriately qualified and assigned staff, and for the
15 Board and local boards to satisfy the requirements of ESEA in
16 order for local boards to receive federal funds.

17 **R277-520-[1]2. Definitions.**

18 A. [~~“At will employment” means employment that may be~~
19 ~~terminated for any reason or no reason with minimum notice to~~
20 ~~the employee consistent with the employer’s designated payroll~~
21 ~~cycle.~~]

22 B. “Board” means the Utah State Board of Education.

23 [~~C. “Comprehensive Administration of Credentials for~~
24 ~~Teachers in Utah Schools (CACTUS)” means the electronic file~~
25 ~~maintained on all licensed Utah educators. The file includes~~
26 ~~information such as:~~

27 ~~—— (1) personal directory information;~~

28 ~~—— (2) educational background;~~

29 ~~—— (3) endorsements;~~

30 ~~—— (4) employment history;~~

31 ~~—— (5) professional development information; and~~

32 ~~—— (6) a record of disciplinary action taken against the~~
33 ~~educator.]~~

34 ~~[D. "Composite major" means credits earned in two or~~
35 ~~more related subjects, as determined by an accredited higher~~
36 ~~education institution.]~~

37 E. "Content specialist" means a licensed educator who
38 provides instruction or specialized support for students and
39 teachers in a school setting.

40 F. "Core academic subjects or areas" means English,
41 reading or language arts, mathematics, science, foreign
42 languages, civics and government, economics, arts, history,
43 and geography under the Elementary and Secondary Education Act
44 (ESEA), also known as the No Child Left Behind Act (NCLB),
45 Title IX, Part A, 20 U.S.C. 7801, Section 9101(11).

46 G. "Demonstrated competency" means that a teacher shall
47 demonstrate current expertise to teach a specific class or
48 course through the use of lines of evidence which may include
49 completed USOE-approved course work, content test(s), or years
50 of successful experience including evidence of student
51 performance.

52 H. "Eminence" means distinguished ability in rank, in
53 attainment of superior knowledge and skill in comparison with
54 the generally accepted standards and achievements in the area
55 in which the authorization is sought as provided in R277-520-
56 5.

57 ~~[I. "Highly qualified" means a teacher has met the~~
58 ~~specific requirements of ESEA, NCLB, Title IX, Part A, 20~~
59 ~~U.S.C. 7801, Section 9101(23).]~~

60 ~~[J. J-1 Visa means a visa issued by the U.S. Department~~
61 ~~of State to an international exchange visitor who has~~
62 ~~qualified by training and experience to work in U.S. schools~~
63 ~~for a period not to exceed three years. Such international~~
64 ~~exchange visitors may qualify for "highly qualified" status~~
65 ~~under NCLB only if assigned within their subject matter~~
66 ~~competency.]~~

67 K. "LEA" means a school district or charter school.

68 L. "Letter of authorization" means a designation given
69 to an individual for one year, such as an out-of-state
70 candidate or individual pursuing an alternative license, who
71 has not completed the requirements for a Level 1, 2, or 3
72 license or who has not completed necessary endorsement
73 requirements and who is employed by an [school district]LEA.
74 ~~[A teacher working under a letter of authorization who is not~~
75 ~~an alternative routes to licensing (ARL) candidate, cannot be~~
76 ~~designated highly qualified under R277-520-1F.]~~

77 M. "Level 1 license" means a Utah professional educator
78 license issued upon completion of an approved preparation
79 program or an alternative preparation program, or pursuant to
80 an agreement under the NASDTEC Interstate ~~[Contract]~~Agreement,
81 to candidates who have also met all ancillary requirements
82 established by law or rule.

83 N. "Level 2 license" means a Utah professional educator
84 license issued after satisfaction of all requirements for a
85 Level 1 license ~~[as well as completion of Entry Years~~
86 ~~Enhancements (EYE) for Quality Teaching - Level 1 Utah~~
87 ~~Teachers, as provided in R277-522, a minimum of three years of~~
88 ~~successful teaching in a public or accredited private school,~~
89 ~~and completion of all NCLB requirements at the time the~~
90 ~~applicant is licensed.]and:~~

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

95 (2) at least three years of successful education
96 experience in a Utah public LEA or accredited private school
97 or one year of successful education experience in a Utah
98 public LEA or accredited private school and at least three
99 years of successful education experience in a public LEA or
100 accredited private school outside of Utah;

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

102 O. "Level 3 license" means a Utah professional educator
103 license issued to an educator who holds a current Utah Level
104 2 license and has also received~~[, in the educator's field of~~
105 ~~practice,]~~ National Board certification or a doctorate in
106 education or in a field related to a content area [~~under R277-~~
107 ~~501-1M from an accredited institution]~~in a unit of the public
108 education system or an accredited private school from an
109 accredited institution, or holds a Speech-Language Pathology
110 area of concentration and has obtained American Speech-
111 Language Hearing Association (ASHA) certification.

112 P. "License areas of concentration" [~~are~~]means
113 designations to licenses obtained by completing an approved
114 preparation program or an alternative preparation program in
115 a specific area of educational studies such as Early Childhood
116 (K-3), Elementary (K-6), Elementary 1-8, Middle (still valid,
117 but not issued after 1988, 5-9), Secondary (6-12),
118 Administrative/Supervisory (K-12), [~~Applied Technology~~]Career
119 and Technical Education, School Counselor, School
120 Psychologist, School Social Worker, Special Education (K-12),
121 Preschool Special Education (Birth-Age 5), Communication
122 Disorders, Speech-Language Pathologist, and Speech-Language
123 Technician. License areas of concentration may also bear
124 endorsements relating to subjects or specific assignments.

125 Q. "License endorsement (endorsement)" means a specialty
126 field or area earned through completing required course work
127 [~~equivalent to at least an academic minor (with~~
128 ~~pedagogy)]established by the USOE or through demonstrated
129 competency approved by the USOE; the endorsement shall be
130 listed on the Professional Educator License indicating the
131 specific qualification(s) of the holder.~~

132 [~~R. "Major equivalency" means 30 semester hours of USOE~~
133 ~~and local board-approved postsecondary education credit or~~
134 ~~CACTUS-recorded professional development in NCLB core academic~~
135 ~~subjects as appropriate to satisfy NCLB highly qualified~~

136 ~~status.]~~

137 S. "No Child Left Behind Act (NCLB)" means the federal
138 Elementary and Secondary Education Act, P.L. 107-110, Title
139 IX, Part A, Section 9101(11).

140 T. "Professional staff cost program funds" means funding
141 provided to school districts based on the percentage of a
142 district's professional staff that is appropriately licensed
143 in the areas in which staff members teach.

144 ~~[U. "State qualified" means that an individual has met
145 the Board-approved requirements to teach core or non-core
146 courses in Utah public schools.]~~

147 V. "SAEP" means State Approved Endorsement Program.
148 This identifies an educator working on a professional
149 development plan to obtain an endorsement.

150 W. "USOE" means the Utah State Office of Education.

151 **R277-520-3. Required Licensing.**

152 A. All teachers in public schools shall hold a Utah
153 educator license along with appropriate areas of concentration
154 and endorsements.

155 B. LEAs shall receive assistance from the USOE to the
156 extent of resources available to have all teachers fully
157 licensed.

158 C. LEAs are expected to hire teachers who are licensed
159 or in the process of becoming fully licensed and endorsed.
160 Failure to ensure that an educator has appropriate licensure
161 ~~[consistent with timelines provided in R277-501]~~ may result in
162 the USOE withholding all LEA funds related to salary
163 supplements under Section 53A-17a-153 and R277-110 and
164 educator quality under Section 53A-17a-107(2) and R277-486
165 until teachers are appropriately licensed.

166 **R277-520-4. Appropriate Licenses with Areas of Concentration**
167 **and Endorsements.**

168 A. An~~[early childhood teacher]~~educator assigned to
169 teach a class in [(+)kindergarten through grade 3(+)] shall hold
170 a [~~Level 1, 2, or 3 license~~]current Utah Educator License with
171 an early childhood (k-3), an elementary (k-6), or an
172 elementary (1-8) license area of concentration.

173 B. An [~~elementary teacher~~]educator assigned to teach a
174 class in [(~~one~~)grade 4 through grade 8](+)] in an elementary
175 setting shall hold a [~~Level 1, 2, or 3 license~~]current Utah
176 Educator License with an elementary (k-6) or an elementary (1-
177 8) license area of concentration.

178 C. An elementary content specialist in Fine Arts or
179 Physical Education shall hold a [~~Level 1, 2, or 3~~
180 ~~license~~]current Utah Educator License with an elementary
181 [~~license area of concentration~~]or [~~a~~]secondary license area
182 of concentration with the appropriate K-12 [~~subject/~~]content
183 endorsement.

184 D. An elementary content specialist in reading or
185 English as a Second Language shall hold a [~~Level 1, 2, or 3~~
186 ~~license~~]current Utah Educator License with an elementary
187 [~~license area of concentration with the appropriate~~
188 ~~subject/content endorsement~~] or [~~a~~]secondary license area of
189 concentration with the appropriate subject/content
190 endorsement. [~~Placing a content specialist in a setting out~~
191 ~~of the specialist's license area of concentration shall be~~
192 ~~based on exceptional circumstances and in consultation with~~
193 ~~the USOE.~~]

194 E. An [~~secondary teacher~~]educator assigned to teach a
195 class in [(+)grade[~~s~~] 6[~~-12~~)] through grade 8, including [~~high~~
196 ~~school,~~]middle-level, intermediate, and junior high schools,
197 shall hold a [~~Level 1, 2, or 3 license~~]current Utah Educator
198 License with an elementary (1-8) or a secondary (6-12) license
199 area of concentration with the appropriate subject/content
200 endorsement[~~s in~~] for all[~~teaching~~] assign[~~ment(s)~~]ed
201 courses.

202 F. [~~A teacher with a subject-specific assignment in~~
203 ~~grades 6, 7 or 8 shall hold a secondary license area of~~
204 ~~concentration with endorsement(s) for the specific teaching~~
205 ~~assignment(s) or an elementary license area of concentration~~
206 ~~with the appropriate subject/content endorsement(s).]~~An
207 educator assigned to teach a class in grade 9 through grade 12
208 shall hold a current Utah Educator License with a secondary
209 (6-12) or a career and technical education license area of
210 concentration with the appropriate subject/content endorsement
211 for all assigned courses.

212 *An educator assigned to serve or teach a class of
213 students with disabilities shall hold a current Utah Educator
214 License with a special education (k-12) license area of
215 concentration and, if the educator is the teacher of record of
216 secondary mathematics for students with disabilities, shall
217 also hold the appropriate subject/content endorsement.

218 G. [~~An elementary (grades 7-8), a secondary or middle-~~
219 ~~level teacher may be assigned temporarily in a core or non-~~
220 ~~core academic area for which the teacher is not endorsed if~~
221 ~~the local board requests and receives a letter of~~
222 ~~authorization from the Board and the teacher is placed on an~~
223 ~~approved SAEP.]~~An educator assigned to serve preschool-aged
224 students with disabilities shall hold a current Utah Educator
225 License with a preschool special education (birth-age 5)
226 license area of concentration.

227 H. [~~Secondary educators with special education areas of~~
228 ~~concentration may add content endorsement(s) to their educator~~
229 ~~licenses consistent with R277-520-10 (SAEP).]~~An educator
230 assigned to provide student support services as defined in
231 R277-506 shall hold a current Utah Educator License with the
232 appropriate support service license area of concentration.

233 I. [~~Educators who have qualified for a J-1 Visa as an~~
234 ~~international visitor and have provided documentation of~~
235 ~~holding the equivalent of a bachelors degree, subject content~~

236 ~~mastery, and appropriate work/graduate training may qualify~~
237 ~~for a Utah Level 1 license. Such temporary visitors may be~~
238 ~~exempted, at the employer's discretion, from subject content~~
239 ~~testing, license renewal requirements, and EYE requirements~~
240 ~~for the duration of their visa eligibility.]~~An educator
241 assigned as a school-based or LEA-based specialist shall hold
242 a current Utah Educator License with the appropriate license
243 area of concentration and endorsement as defined by the LEA.

244 J. An educator assigned in an administrative position
245 requiring an educator license, as defined by the district,
246 shall hold a current Utah Educator License and an
247 administrative/supervisory (k-12) license area of
248 concentration.

249 (1) A superintendent of a school district may be licensed
250 with letter of authorization granted by the Board consistent
251 with Section 53A-3-301.

252 (2) An educator assigned in an administrative position in
253 a charter schools is exempt from this requirement consistent
254 with Section 53A-1a-511.

255 ~~[R277-520-5. Routes to Utah Educator Licensing.~~

256 ~~— A. In order to receive a license, an educator shall have~~
257 ~~completed a bachelors degree at an approved higher education~~
258 ~~institution and:~~

259 ~~— (1) — completed an approved institution of higher~~
260 ~~education teacher preparation program in the desired area of~~
261 ~~concentration; or~~

262 ~~— (2) — completed an approved alternative preparation for~~
263 ~~licensing program, under alternative routes to licensing,~~
264 ~~consistent with R277-503.~~

265 ~~— B. An individual may receive a Utah license with an~~
266 ~~applied technology area of concentration following successful~~
267 ~~completion of a USOE-approved professional development program~~
268 ~~for teacher preparation in applied technology education.~~

269 ~~C. An individual may receive a district-specific,~~
270 ~~competency-based license under Section 53A-6-104.5 and R277-~~
271 ~~520-8.]~~

272 **R277-520-[6]5. Eminence.**

273 A. The purpose of an eminence authorization is to allow
274 individuals with exceptional training or expertise, consistent
275 with R277-520-1G, to teach or work in the public schools on a
276 limited basis. Documentation of the exceptional training,
277 skill(s) or expertise may be required by the USOE prior to the
278 approval of the eminence authorization.

279 B. Teachers with an eminence authorization may teach no
280 more than 37 percent of the regular instructional load except
281 as provided in R277-520-6C.

282 C. In identified circumstances, teachers with an eminence
283 authorization may teach more than 37 percent of the regular
284 instructional load. An eminence authorization may be approved
285 by the Board if:

286 (1) the LEA can find no other qualified individual to
287 fill the position, then:

288 (a) the LEA shall submit the following documented
289 information to the USOE annually:

290 (i) description;

291 (ii) recruitment efforts;

292 (iii) the qualifications of all applicants; and

293 (iv) the LEA's rationale for hiring the individual.

294 (b) the USOE shall review the information within 15 days
295 of receipt.

296 (c) the USOE shall notify the individual and the LEA if
297 the USOE approves the documented information.

298 (d) the LEA shall submit a request for a Letter of
299 Authorization to the Board for the individual through normal
300 administrative procedures; or

301 (2) An individual has exceptional skills, expertise, and

302 experience that make him the primary candidate for the
303 position, then:

304 (a) the LEA shall submit the following documented
305 information to the USOE annually:

306 (i) information about the position;

307 (ii) the individual's expertise, and experience; and

308 (iii) the LEA's rationale for hiring the individual.

309 (b) the USOE shall review the information within 15 days
310 of receipt.

311 (c) the USOE shall notify the individual and the LEA if
312 the USOE approves the documented information.

313 (d) the LEA shall submit a request for a Letter of
314 Authorization to the Board for the individual through normal
315 administrative procedures.

316 D. LEAs shall require an individual teaching with an
317 eminence authorization to have a criminal background check
318 consistent with Section 53A-3-410(1) prior to employment by
319 the LEA.

320 E. The LEA that employs the teacher with an eminence
321 authorization shall determine the amount and type of
322 professional development required of the teacher.

323 F. An LEA that employs teachers with eminence
324 authorizations shall apply for renewal of the authorization(s)
325 annually.

326 G. Eminence authorizations may apply to individuals
327 without teaching licenses or to unusual and infrequent teacher
328 situations where a license-holder is needed to teach in a
329 subject area for which he is not endorsed, but in which he may
330 be eminently qualified.

331 ~~[R277-520-7. State Qualified Teachers.~~

332 ~~— A. A teacher has a Utah Level 1, 2 or 3 license or a~~
333 ~~district-specific competency-based license.~~

334 ~~— B. A teacher has an appropriate area of concentration.~~

335 ~~—— C. A teacher in grades 6-12 has the required endorsement~~
336 ~~for the course(s) the teacher is teaching by means of:~~
337 ~~—— (1) an academic teaching major from an accredited~~
338 ~~postsecondary institution, or a passing score on content~~
339 ~~test(s) and pedagogy test(s), if available, or USOE-approved~~
340 ~~pedagogy courses; or~~
341 ~~—— (2) an academic major or minor from an accredited~~
342 ~~postsecondary institution; or~~
343 ~~—— (3) completion of a personal development plan under an~~
344 ~~SAEP in the appropriate subject area(s) as explained under~~
345 ~~R277-520-10 with approval from the USOE specialist(s) in the~~
346 ~~endorsement subject areas.~~
347 ~~—— D. On an annual basis, local boards/charter school~~
348 ~~boards shall request letters of authorization for teachers who~~
349 ~~are teaching classes for which they are not endorsed.~~

350 ~~**R277-520-8. Highly Qualified Teachers.**~~

351 ~~—— A. A secondary teacher (7-12) is considered highly~~
352 ~~qualified if the teacher meets the requirements of R277-501-4.~~
353 ~~—— B. An elementary/early childhood teacher (grades K-8) is~~
354 ~~considered highly qualified if the teacher meets the~~
355 ~~requirements of R277-501-5.~~

356 ~~**R277-520-9. School District/Charter School Specific**~~
357 ~~**Competency-based Licensed Teachers.**~~

358 ~~—— A. The following procedures and timelines apply to the~~
359 ~~employment of educators who have not completed the traditional~~
360 ~~licensing process under R277-520-5A, B, or C:~~
361 ~~—— (1) A local board/charter school board may apply to the~~
362 ~~Board for a school district/charter school specific~~
363 ~~competency-based license to fill a position in the district.~~
364 ~~—— (2) The employing school district shall request a school~~
365 ~~district/charter school specific competency-based license no~~
366 ~~later than 60 days after the date of the individual's first~~

367 ~~day of employment.~~

368 ~~—— (3) The application for the school district/charter~~
369 ~~school specific competency-based license for an individual to~~
370 ~~teach one or more core academic subjects shall provide~~
371 ~~documentation of:~~

372 ~~—— (a) the individual's bachelors degree; and~~

373 ~~—— (b) for a K-6 grade teacher, the satisfactory results of~~
374 ~~the rigorous state test including subject knowledge and~~
375 ~~teaching skills in the required core academic subjects under~~
376 ~~Section 53A-6-104.5(3)(ii) as approved by the Board; or~~

377 ~~—— (c) for the teacher in grades 7-12, demonstration of a~~
378 ~~high level of competency in each of the core academic subjects~~
379 ~~in which the teacher teaches by completion of an academic~~
380 ~~major, a graduate degree, course work equivalent to an~~
381 ~~undergraduate academic major, advanced certification or~~
382 ~~credentialing, results or scores of a rigorous state core~~
383 ~~academic subject test in each of the core academic subjects in~~
384 ~~which the teacher teaches.~~

385 ~~—— (4) The application for the school district/charter~~
386 ~~school specific competency-based license for non-core teachers~~
387 ~~in grades K-12 shall provide documentation of:~~

388 ~~—— (a) a bachelors degree, associates degree or skill~~
389 ~~certification; and~~

390 ~~—— (b) skills, talents or abilities specific to the teaching~~
391 ~~assignment, as determined by the local board/charter school~~
392 ~~board.~~

393 ~~—— (5) Following receipt of documentation, the USOE shall~~
394 ~~approve a district/charter school specific competency-based~~
395 ~~license.~~

396 ~~—— (6) If an individual employed under a school~~
397 ~~district/charter school specific competency-based license~~
398 ~~leaves the district before the end of the employment period,~~
399 ~~the district shall notify the USOE Licensing Section regarding~~
400 ~~the end-of-employment date.~~

401 ~~(7) The school district/charter school specific~~
402 ~~competency-based license for an individual's district/charter~~
403 ~~school specific competency-based license shall be valid only~~
404 ~~in the district/charter school that originally requested the~~
405 ~~school district/charter school specific competency-based~~
406 ~~license and for the individual originally employed under the~~
407 ~~school district/charter school specific competency-based~~
408 ~~license.~~

409 ~~B. The written copy of the state-issued district-~~
410 ~~specific competency-based license shall prominently state the~~
411 ~~name of the school district/charter school followed by~~
412 ~~DISTRICT/CHARTER SCHOOL-SPECIFIC COMPETENCY-BASED LICENSE.~~

413 ~~C. A school district/charter school may change the~~
414 ~~assignment of a school district/charter school-specific~~
415 ~~competency-based license holder but notice to USOE shall be~~
416 ~~required and additional competency-based documentation may be~~
417 ~~required for the teacher to remain qualified or highly~~
418 ~~qualified.~~

419 ~~D. School district/charter school specific~~
420 ~~competency-based license holders are at-will employees~~
421 ~~consistent with Section 53A-8-106(5).]~~

422 **R277-520-[10]6. Routes to Appropriate Endorsements for**
423 **Teachers.**

424 ~~[Teachers shall be appropriately endorsed for their~~
425 ~~teaching assignment(s). To be highly qualified:~~

426 ~~A. teachers may obtain the required endorsement(s) with~~
427 ~~a major or composite major or major equivalency consistent~~
428 ~~with their teaching assignment(s), including appropriate~~
429 ~~pedagogical competencies; or~~

430 ~~B. teachers who have satisfactorily completed a minimum~~
431 ~~of nine semester hours of USOE-approved university level~~
432 ~~courses may complete a professional development plan under an~~
433 ~~SAEP in the appropriate subject area(s) with approval from~~

434 ~~USOE Curriculum specialists; or]~~

435 A. An educator may add an endorsement to an existing
436 license area of concentration by completing the endorsement
437 requirements established by the USOE.

438 B. Endorsement requirements in core academic subject
439 areas shall include passage of the Board-approved content
440 knowledge assessment.

441 C. ~~[t]~~Teachers may demonstrate competency in the subject
442 area(s) of their teaching assignment(s) as approved by the
443 USOE content area specialist to meet specific endorsement
444 requirements except the Board-approved content knowledge
445 assessment. ~~[—In order to be endorsed through demonstrated~~
446 ~~competency, the educator shall pass designated Board-approved~~
447 ~~content knowledge and pedagogical knowledge assessments as~~
448 ~~they become available.]~~

449 D. ~~[Individuals]~~Educators shall be properly endorsed
450 consistent with R277-520-3 or have USOE-approved SAEPs.
451 Otherwise, the Board may withhold professional staff cost
452 program funds.

453 **R277-520-~~[11]~~7. Board-Approved Endorsement Program (SAEP) .**

454 ~~[Teachers in any educational program who are assigned~~
455 ~~to teach out of their area(s) of endorsement]~~An educator
456 assigned to teach in a subject for which he does not hold the
457 appropriate endorsement and who ha[ve]s [at least] nine
458 semester credit hours of [USOE-approved university level
459 courses]the endorsement requirements shall [participate in]be
460 placed on an SAEP~~[and make satisfactory progress within the~~
461 ~~period of the SAEP]~~ as determined by USOE specialists. [

462 ~~— B. The employing school district shall identify teachers~~
463 ~~who do not meet the state qualified definition and provide a~~
464 ~~written justification to the USOE.]~~

465 ~~[e]~~B. Individuals participating in SAEPs shall
466 demonstrate progress toward completion of the required

467 endorsement(s) annually, as determined jointly by the school
468 district/charter school and the USOE.

469 ~~[D]~~C. An SAEP may be granted for one two-year period and
470 may be ~~[renewed]~~extended by the USOE~~[, upon written~~
471 ~~justification from the school district,]~~ for ~~[one]~~up to two
472 ~~additional [two-year period]~~years if the individual has made
473 progress towards completing the SAEP.

474 D. An individual currently participating in an SAEP is
475 considered to hold the endorsement for the purposes of meeting
476 the requirements of R277-520-4.

477 **R277-520-~~[12]~~8. Background Check Requirement and Withholding**
478 **of State Funds for Non-Compliance.**

479 A. Educators qualified under any provision of this rule
480 shall also satisfy the criminal background requirement of
481 Section 53A-3-410 prior to unsupervised access to students.

482 B. If LEAs do not appropriately employ and assign
483 teachers consistent with this rule, they may have state
484 appropriated professional staff cost program funds withheld
485 pursuant to R277-486, Professional Staff Cost Formula.

486 ~~[C. Local boards/charter school boards shall report~~
487 ~~highly qualified educators in core academic subjects and~~
488 ~~educators who do not meet the requirements of highly qualified~~
489 ~~educators in core academic subjects beginning July 1, 2003.]~~

490 **KEY: educator, license, assignment**

491 **Date of Enactment or Last Substantive Amendment: ~~[June 7,~~**
492 **2012]2015**

493 **Notice of Continuation: ~~[July 1, 2010]~~2015**

494 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3;**
495 **53A-1-401 (3) ; 53A-6-104 (2) (a)**