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MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Angie Stallings, Deputy Superintendent
Policy and Communication

DATE: October 6-7, 2016

ACTION: R277-507 *Driver Education Endorsement* (Amendment and Continuation)

Background:

R277-507 is amended to provide clarification to endorsement procedures and update training requirements, and to provide technical and conforming changes consistent with the Utah Administrative Rulemaking Act and the Rulewriting Manual for Utah. R277-507 is also coming due for its five-year review and continuation with an expiration date of March 15, 2017. Staff has reviewed the rule and determined that the rule continues to be necessary.

Board Strategic Plan:

This item supports the following imperative and strategies in the Board's Strategic Plan:
Oversight - Monitor, review, and provide general supervision to all public education institutions and other entities for which the State Board has responsibility.

Anticipated Action:

It is proposed that the Law and Licensing Committee consider approving R277-507, as amended and continued, on first reading and, if approved by the Committee, the Board consider approving R277-507, as amended and continued, on second reading.

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1 **R277. Education, Administration.**

2 **R277-507. Driver Education Endorsement.**

3 **R277-507-[2]1. Authority and Purpose.**

4 [A.](1) This rule is authorized by:

5 (a) Utah Constitution Article X, Section 3~~[of the Utah Constitution]~~, which vests~~[the]~~
6 general control and supervision ~~[of the]~~over public [school]education in the ~~[State-]~~Board
7 ~~[of Education, by]~~;

8 (b) Section 53A-1-402(1)(a), which directs the Board to make rules regarding the
9 ~~[licensure]~~ certification of educators~~[;]~~;

10 (c) Section 53A-1-401~~[(3)]~~, which allows the Board to ~~[adopt rules in accordance~~
11 ~~with its responsibilities,]~~make rules to execute the Board's duties and responsibilities under
12 the Utah Constitution and state law; and

13 (d) ~~[by]~~ Section 53A-13-208, which directs the Board to establish procedures and
14 standards to ~~[license]~~ certify teachers of driver education classes as driver license
15 examiners.

16 [B.](2) The purpose of this rule is to establish standards and procedures for ~~[high~~
17 ~~school]~~ secondary teachers to qualify for ~~[the]~~ a driver education endorsement.

18 **R277-507-[4]2. Definitions.**

19 [A. "Board" means the Utah State Board of Education.]

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

22 [B.](2) "Endorsement" means a stipulation appended to a license setting forth the
23 areas of practice to which the license applies.

24 [C.](3) "Level 1 License" means a license issued:

25 (a) upon completion of an approved educator preparation program ~~[or]~~;

26 (b) upon completion of an alternative preparation program ~~[or]~~;

27 (c) pursuant to an agreement under the NASDTEC Interstate Contract to candidates
28 who have also met all ancillary requirements established by law or rule~~[;]~~ or

29 (d) in accordance with the requirements of Rule R277-511.

30 [D.](4) "Level 2 License" means a license issued after satisfaction of all

31 requirements for a Level 1 license as well as any additional requirements established by
32 law or rule relating to professional preparation or experience.

33 ~~[E.](5) "Level 3 License" means a license issued to an educator who holds a current~~
34 ~~Utah Level 2 license and has also received, in the educator's field of practice, National~~
35 ~~Board certification or a doctorate from an accredited institution.~~

36 ~~[F. "NASDTEC" means the National Association of State Directors of Teacher~~
37 ~~Education and Certification.]~~

38 ~~[G.](6) "NASDTEC Interstate Contract" means the contract implementing Title 53A,~~
39 ~~Chapter 6, Part 2, Compact ~~[of]for~~ Interstate Qualification of Educational Personnel, which~~
40 ~~is administered through ~~[NASDTEC] the National Association of State Directors of Teacher~~~~
41 ~~Education and Certification, and which provides for reciprocity of educator licenses among~~
42 ~~states.~~

43 ~~(7)(a) "Utah Driver Handbook" means a manual, prepared and periodically updated~~
44 ~~by the DLD, containing the rules which should be followed when operating a motor vehicle~~
45 ~~in Utah.~~

46 ~~(b) The updated Utah Driver Handbook is available at~~
47 ~~http://dld.utah.gov/handbooksprintableforms/.~~

48 ~~[H. "USOE" means the Utah State Office of Education.]~~

49 **R277-507-3. Endorsement Requirements.**

50 ~~[A.](1) ~~[The]A~~ driver education endorsement shall be added to ~~[the]an~~ educator's~~
51 ~~Level 1, 2, or 3 license ~~[provided]if~~ the educator:~~

52 ~~(1)a ~~[the individual]~~ has a valid and current Level 1, 2, or 3 license with an area of~~
53 ~~concentration in one or more of the following:~~

54 ~~(i) Secondary Education;~~

55 ~~(ii) Special Education; ~~[and/]or~~~~

56 ~~(iii) School Counselor;~~

57 ~~(2)b ~~[the individual]~~ has a valid Utah automobile operator's license; ~~[and]~~~~

58 ~~(3)c ~~[the beginning teacher]~~ has not had ~~[no convictions for a moving violation or~~
59 ~~chargeable accident on record for which a driver] an automobile operator's license ~~[was]~~~~
60 ~~suspended or revoked ~~[for] during~~ the two year period immediately prior to ~~[employment]~~~~~~

61 applying for the endorsement; and[-]

62 (d) has completed the professional preparation requirements set forth in Subsection
63 (2).

64 ~~[B. In order for a high school driver education teacher to be certified as a driver~~
65 ~~license examiner by the Driver License Division of the Department of Public Safety, the~~
66 ~~teacher shall first be licensed and endorsed by the USOE.]~~

67 ~~[C.](2)~~ A high school driver education teacher shall ~~[have]~~complete professional
68 preparation which includes ~~[the following:~~

69 ~~——(1)]~~ sixteen (16) semester hours in the area of driver and safety education, as
70 follows;

71 ~~[(2) of the 16 hours required:]~~

72 (a) a minimum of twelve (12) semester hours shall be in the area of driver and
73 safety education, including a practicum covering classroom, on-street, simulator, and
74 driving range instruction; ~~[and]~~

75 ~~[(b) a minimum of three (3) semester hours shall be selected from areas of related~~
76 ~~safety work; and]~~

77 (b) a minimum of two (2) semester hours of Driver Education State Law and Policy
78 through Utah Education Network;

79 (c) a minimum of one (1) semester hour of current/valid first aid and CPR training~~[-];~~
80 and

81 (d) a minimum of one (1) semester hour of DLD online examiners training.

82 (3) In order for a high school driver education teacher to be certified as a driver
83 license examiner by the DLD, the teacher shall first be licensed and endorsed as provided
84 in this Section R277-507-3 by the Board.

85 ~~[D.](4)~~ ~~[A high school driver education teacher a]~~After meeting the criteria of
86 Subsection [3](1), a high school driver education teacher shall obtain a valid and current
87 certificate from the [Driver License Division] DLD to administer [knowledge] written and
88 driving [skills] tests, [as required by and specified in] in accordance with Section 53A-13-
89 208.

90 **R277-507-4. Driver Education Program Standards.**

91 ~~[The]~~A teacher preparation program of an institution may be approved by the Board
92 if it requires demonstrated competency by the teacher in:

93 (1) structuring, implementing, identifying and developing support materials related
94 to:

95 (a) regular classroom instruction~~[-];~~;

96 (b) multimedia instruction~~[-];~~;

97 (c) driving simulation~~[-];~~;

98 (d) off-street multiple car driving range experiences~~[-];~~ and

99 (e) on-street driving experiences;

100 (2) assisting students in examining and clarifying their attitudes and values about
101 safety;

102 (3) understanding and explaining the basic principles of motor vehicle systems,
103 dynamics, and maintenance;

104 (4) understanding and explaining the interaction of all highway transportation
105 system elements;

106 (5) initiating emergency procedures under varying circumstances;

107 (6) motor vehicle operation and on-street instruction;

108 (7) understanding and explaining the physiological and psychological influences of
109 alcohol and other drugs especially as they relate to driving;

110 (8) understanding and explaining due process in the legal system;

111 (9) communicating effectively with federal, state, and local agencies concerning
112 safety issues;

113 (10) understanding and explaining the frequency, severity, nature and prevention
114 of accidents related to driving which occur in various age groups in various life activities;
115 and

116 (11) understanding and explaining the ~~[UTAH DRIVER HANDBOOK]~~ Utah Driver
117 Handbook~~[-, prepared by the Driver License Division].~~

118 **R277-507-5. Endorsement Suspension.**

119 ~~[A.](1) [The]~~ A driver education endorsement shall be immediately suspended and
120 the previously-endorsed individual ~~[shall]~~ may not be allowed to teach driver education

121 following the suspension or revocation of the individual's automobile operator's license. [a
122 conviction for a moving violation, alcohol-related or chargeable accident for which an
123 individual's driver license is suspended or revoked.]

124 [B.](2) Once an individual's endorsement to teach has been suspended, [he]the
125 individual shall[~~be required to~~] maintain a driving record free of convictions for moving
126 violations or chargeable accidents [~~for which a driver license is suspended or revoked~~] for
127 a period of two years before the endorsement to teach may be reinstated.

128 **KEY: professional education, driver education, educator licensure**

129 **Date of Enactment or Last Substantive Amendment: [~~December 16, 2006~~]2017**

130 **Notice of Continuation: [~~March 15, 2012~~]2016**

131 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-402(1)(a); 53A-**
132 **1-401[~~(3)~~]; 53A-13-208**