

1 ~~[R277. Education, Administration.~~

2 ~~R277-500. Educator Licensing Renewal, Timelines, and Required Fingerprint~~
3 ~~Background Checks.~~

4 ~~R277-500-1. Authority and Purpose.~~

5 ~~———A. This rule is authorized by Utah Constitution Article X, Section 3 which vests~~
6 ~~general control and supervision of public education in the Board, Section 53E-6-201 which~~
7 ~~requires the Board to make rules requiring participation in professional learning activities~~
8 ~~in order for educators to retain Utah licensure, and Subsection 53E-3-401(4) which permits~~
9 ~~the Board to adopt rules in accordance with its responsibilities.~~

10 ~~———B. The purpose of this rule is to provide definitions and requirements for an educator~~
11 ~~to renew a Utah educator license. This rule requires verification of employment,~~
12 ~~development of a professional learning plan, and documentation of activities consistent~~
13 ~~with Title 53E, Chapter 6, Education Professional Licensure.~~

14
15 ~~R277-500-2. Definitions.~~

16 ~~———A. "Acceptable alternative professional learning activity" means an activity that may~~
17 ~~not fall within a specific category under R277-500-5 but is consistent with this rule.~~

18 ~~———B. "Accredited" means a teacher preparation program accredited by the National~~
19 ~~Council for Accreditation of Teacher Education (NCATE), the Teacher Education~~
20 ~~Accreditation Council (TEAC), or the Council for the Accreditation of Educator Preparation~~
21 ~~(CAEP).~~

22 ~~———C. "Accredited school," for purposes of this rule, means a public or private school~~
23 ~~that has met standards considered to be essential for the operation of a quality school~~
24 ~~program and has received formal approval by the Northwest Accreditation Commission.~~

25 ~~———D. "Active educator," for purposes of this rule, means an individual holding a valid~~
26 ~~license issued by the Board who is employed by a Utah public LEA, accredited private~~
27 ~~school, or USOE, or who was employed by a Utah public LEA or accredited private school~~
28 ~~in a role covered by the license for at least three years in the individual's renewal period.~~

29 ~~———E. "Active educator license" means a license that is currently valid for employment~~

1 in a position requiring an educator license:

2 ~~—— F. "Board" means the Utah State Board of Education.~~

3 ~~—— G. "College/university course" means a course taken through an institution approved~~
4 ~~under Section 53E-6-303.~~

5 ~~—— H. "Course work successfully completed" for purposes of this rule means the~~
6 ~~student earns a grade C or better in approved university or university level course work or~~
7 ~~USOE professional learning credit.~~

8 ~~—— I. "Documentation of professional learning activities" means:~~

9 ~~—— (1) an original student transcript of university/college courses;~~

10 ~~—— (2) an LEA or USOE-sponsored electronic record of professional learning activities;~~

11 ~~—— (3) a summary, explanation, or copy of the product of a professional learning activity~~
12 ~~signed by the educator's supervisor or a licensed administrator ;~~

13 ~~—— (4) a certificate of completion for an approved professional learning conference,~~
14 ~~workshop, institute, symposium, educational travel experience or staff development; or~~

15 ~~—— (5) an agenda or conference program demonstrating sessions and duration of~~
16 ~~professional learning activities.~~

17 ~~—— J. "Educational research" means conducting research on education issues or~~
18 ~~investigating education innovations.~~

19 ~~—— K. "Inactive educator" means an individual:~~

20 ~~—— (1) who holds a valid license issued by the Board;~~

21 ~~—— (2) who is not currently employed by a Utah public LEA or accredited private school;~~
22 ~~and~~

23 ~~—— (3) who was employed by a Utah public LEA or accredited private school in a role~~
24 ~~covered by the license for less than three years in the individual's renewal period.~~

25 ~~—— L. "Inactive educator license" means a license issued by the Board, other than a~~
26 ~~suspended or revoked license, that is currently not valid due to the holder's failure to~~
27 ~~complete requirements for license renewal.~~

28 ~~—— M. "LEA" or "local education agency" means a school district or a charter school.~~

29 ~~—— N. "Level 1 license" means a Utah professional educator license issued:~~

- 1 ~~—— (1) to an applicant upon completion of an approved preparation program or an~~
2 ~~alternative preparation program; or~~
- 3 ~~—— (2) to an applicant that holds an educator license issued by another state or country~~
4 ~~that has also met all ancillary requirements established by law or rule.~~
- 5 ~~—— O. "Level 2 license" means a Utah professional educator license issued to an~~
6 ~~applicant after the applicant meets the following:~~
- 7 ~~—— (1) completion of all requirements for a Level 1 license;~~
- 8 ~~—— (2) satisfaction of requirements under R277-522 for a teacher whose employment~~
9 ~~as a Level 1 licensed educator began after January 1, 2003 in a Utah public LEA or~~
10 ~~accredited private school;~~
- 11 ~~—— (3) completion of:~~
- 12 ~~—— (a) at least three years of successful education experience in a Utah public LEA or~~
13 ~~accredited private school; or~~
- 14 ~~—— (b)(i) one year of successful education experience in a Utah public LEA or~~
15 ~~accredited private school; and~~
- 16 ~~—— (ii) at least three years of successful education experience in a public LEA or~~
17 ~~accredited private school outside of Utah; and~~
- 18 ~~—— (4) completion of any additional requirements established by law or rule.~~
- 19 ~~—— P. "Level 3 license" means a Utah professional educator license issued to an~~
20 ~~educator who:~~
- 21 ~~—— (1) holds a current Utah Level 2 license; and~~
- 22 ~~—— (2)(a) received National Board Certification;~~
- 23 ~~—— (b) received a doctorate in education or in a field related to a content area in a unit~~
24 ~~of:~~
- 25 ~~—— (i) the public education system; or~~
- 26 ~~—— (ii) an accredited private school; or~~
- 27 ~~—— (c) holds a Speech-Language Pathology area of concentration and has obtained~~
28 ~~American Speech-Language Hearing Association (ASHA) certification.~~
- 29 ~~—— Q. "License" means an authorization which permits the license holder to serve in a~~

1 professional capacity in a public LEA or accredited private school:

2 ~~—— R. "Licensed administrator" means:~~

3 ~~—— (1) an individual holding an active educator license that is valid for employment in~~
4 ~~a public school administrative position; or~~

5 ~~—— (2) an individual currently employed by a Utah charter school in an administrative~~
6 ~~position.~~

7 ~~—— S. "License renewal points" means the points accumulated by a Utah license holder~~
8 ~~through activities approved under this rule for the purpose of satisfying requirements of~~
9 ~~Section 53E-6-201.~~

10 ~~—— T. "National Board Certification" means the successful completion of the National~~
11 ~~Board for Professional Teaching Standards (NBTPS) process, a three-year process, that~~
12 ~~may include:~~

13 ~~—— (1) national content-area assessment;~~

14 ~~—— (2) an extensive portfolio; and~~

15 ~~—— (3) assessment of video-taped classroom teaching experience.~~

16 ~~—— U. "Professional growth plan" means a plan created and reviewed annually by an~~
17 ~~active educator and the educator's direct supervisor that details the professional goals of~~
18 ~~the educator based on the Utah Effective Teaching and Educational Leadership Standards~~
19 ~~consistent with R277-520 and related to the educator's self-assessment and formal~~
20 ~~evaluation required under Section 53G-11-504.~~

21 ~~—— V. "Professional learning" means engaging in activities that improve or enhance an~~
22 ~~educator's practice.~~

23 ~~—— W. "Professional learning plan" means a document prepared by a Utah educator~~
24 ~~consistent with this rule.~~

25 ~~—— X. "Superintendent" means the State Superintendent of Public Instruction or the~~
26 ~~Superintendent's designee.~~

27 ~~—— Y. "University level course" means a course:~~

28 ~~—— (1) that has the same academic rigor and requirements of a university or college~~
29 ~~course;~~

1 ~~—— (2) taught by appropriately trained individuals; and~~

2 ~~—— (3) designated as a university level course by the Superintendent.~~

3 ~~—— Z. "UPPAC" means the Utah Professional Practices Advisory Commission under~~
4 ~~Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission.~~

5 ~~—— AA. "USOE" means the Utah State Office of Education.~~

6 ~~—— BB. "USOE professional learning credit" means a course, approved by the~~
7 ~~Superintendent under R277-519-3, that educators may participate in to:~~

8 ~~—— (1) renew a license;~~

9 ~~—— (2) teach in another subject area; or~~

10 ~~—— (3) teach at another grade level.~~

11 ~~—— CC. "Verification of employment" means official documentation of employment as~~
12 ~~an educator listing the educator's assignment and years of service, signed by the~~
13 ~~supervising administrator.~~

14

15

16 **~~R277-500-3. Educator License Renewal Requirements.~~**

17 ~~—— A. Professional Learning Plan for Active Educators~~

18 ~~—— (1) An active educator, in collaboration with the active educator's supervisor, shall~~
19 ~~develop and maintain a professional learning plan as a subset of the active educator's~~
20 ~~professional growth plan.~~

21 ~~—— (2) The professional learning plan shall outline the professional learning activities~~
22 ~~in which the educator will participate during the educator's current license renewal cycle;~~

23 ~~—— (3) The professional learning plan shall be developed by taking into account:~~

24 ~~—— (a) the educator's professional goals;~~

25 ~~—— (b) curriculum relevant to the educator's current or anticipated assignment;~~

26 ~~—— (c) goals and priorities of the LEA and school;~~

27 ~~—— (d) available student data relevant to the educator's current or anticipated~~
28 ~~assignment;~~

29 ~~—— (e) feedback from the educator's yearly evaluation required under Section~~

1 ~~53G-11-504;~~

2 ~~—— (f) the requirements under R277-522 if the educator is a Level 1 licensed educator.~~

3 ~~—— (4) The professional learning plan for active educators shall include two hours of~~
4 ~~professional learning on youth suicide prevention consistent with Section 53G-9-704.~~

5 ~~—— (5) The professional learning plan shall be reviewed and signed annually by the~~
6 ~~educator and supervisor and may be adjusted as appropriate.~~

7 ~~—— (6) The educator is responsible for creation of the professional learning plan in~~
8 ~~collaboration with the designated supervisor.~~

9 ~~—— (7) The educator is responsible for maintaining documentation associated with the~~
10 ~~plan and the annual review of the plan.~~

11 ~~—— (8) The LEA may create tools or policies or both to assist educators in meeting this~~
12 ~~responsibility.~~

13 ~~—— B. Professional Learning Plan for Inactive Educators~~

14 ~~—— (1) All inactive educators intending to renew an educator license shall, in~~
15 ~~collaboration with a licensed administrator, develop and maintain a professional learning~~
16 ~~plan.~~

17 ~~—— (2) The professional learning plan shall outline the professional learning activities~~
18 ~~in which the educator will participate during the educator's current license renewal cycle.~~

19 ~~—— (3) The plan shall take into account:~~

20 ~~—— (a) the educator's professional goals;~~

21 ~~—— (b) current license areas of concentration and endorsements;~~

22 ~~—— (c) current trends relevant to the educator's current license areas of concentration~~
23 ~~and endorsements;~~

24 ~~—— (d) the Utah Core Standards relevant to the educator's current license areas of~~
25 ~~concentration and endorsements;~~

26 ~~—— (4) The professional learning plan shall be reviewed and signed by the educator and~~
27 ~~a licensed administrator at the beginning of the license renewal cycle and again at the end~~
28 ~~of the license renewal cycle.~~

29 ~~—— (5) The educator shall develop the professional learning plan and maintain~~

1 ~~documentation of the plan.~~

2 ~~—— C. License Renewal Points~~

3 ~~—— (1) To be valid for renewal, the professional learning plan shall document that the~~
4 ~~educator has earned the appropriate number of license renewal points as defined in~~
5 ~~R277-500-3.~~

6 ~~—— (2) License holders may accrue license renewal points beginning with the date of~~
7 ~~each new license renewal.~~

8 ~~—— (3) A Level 1 license holder shall earn at least 100 license renewal points in each~~
9 ~~three year period. A Level 1 license may only be renewed consistent with R277-504-3D.~~

10 ~~—— (4) A Level 2 license holder shall earn at least 200 license renewal points in each~~
11 ~~5 year period.~~

12 ~~—— (5) A Level 3 license holder shall earn at least 200 license renewal points in each~~
13 ~~7 year period.~~

14 ~~—— D. Documentation~~

15 ~~—— (1) Each Utah license holder shall be responsible for maintaining documentation~~
16 ~~supporting completion of the professional learning plan.~~

17 ~~—— (2) It is the educator's responsibility to retain documentation of professional learning~~
18 ~~activities with appropriate signatures.~~

19 ~~—— (3) All documentation relevant to the professional learning plan shall be retained by~~
20 ~~the educator for a minimum of two years from the designated renewal date.~~

21 ~~—— E. Educator Ethics Review~~

22 ~~—— (1) Completion of the USOE Educator Ethics Review shall be required for the~~
23 ~~renewal of a Utah educator license beginning January 1, 2011.~~

24 ~~—— (2) No license may be renewed prior to the completion of the USOE Educator Ethics~~
25 ~~Review.~~

26 ~~—— (3) The Ethics Review shall be completed within one calendar year prior to license~~
27 ~~renewal.~~

28 ~~—— F. The Superintendent may renew an educator's license if:~~

29 ~~—— (1) the educator's background check is complete; and~~

1 ~~———(2) the educator is currently enrolled in ongoing monitoring through registration with~~
2 ~~the systems described in Section 53G-11-404.~~

3
4 **~~R277-500-4. Educator License Renewal Procedures.~~**

5 ~~———A. An active educator license holder shall satisfy the final review and obtain the~~
6 ~~appropriate signatures regarding completion of the professional learning plan between~~
7 ~~January 1 and June 30 of the educator's assigned renewal year.~~

8 ~~———(1) A Level 2 or 3 educator license holder who has completed all additional~~
9 ~~requirements for renewal shall complete the online renewal provided by USOE between~~
10 ~~January 1 and June 30 of the educator's assigned renewal year.~~

11 ~~———(2) A Level 1 educator license holder who has completed all additional requirements~~
12 ~~for renewal shall submit the Professional Learning Plan Completion Form to the USOE~~
13 ~~between January 1 and June 30 of the educator's assigned renewal year. Forms that are~~
14 ~~not complete or do not bear original signatures shall not be processed.~~

15 ~~———(3) An educator's failure to complete the online process or submit the completion~~
16 ~~form consistent with deadlines in this rule shall result in beginning anew the administrative~~
17 ~~licensure process, including all attendant fees and criminal background checks.~~

18 ~~———B. An inactive educator license holder shall satisfy the final review and obtain the~~
19 ~~appropriate signatures regarding completion of the professional learning plan within one~~
20 ~~calendar year prior to the date on which the inactive educator license holder is~~
21 ~~directed/scheduled to renew the license.~~

22 ~~———(1) A Level 2 or 3 educator license holder who has completed all additional~~
23 ~~requirements for renewal shall complete the online renewal process provided by USOE~~
24 ~~between January 1 and June 30 of the educator's assigned renewal year.~~

25 ~~———(2) A Level 1 educator license holder who has completed all additional requirements~~
26 ~~for renewal shall submit the Professional Learning Plan Completion Form to the USOE~~
27 ~~between January 1 and June 30 of the educator's assigned renewal year. Forms that are~~
28 ~~not complete or do not bear original signatures shall not be processed.~~

29 ~~———(3) An educator's failure to complete the online process or submit the completion~~

1 ~~form consistent with deadlines shall result in beginning anew the licensure process,~~
2 ~~including all attendant fees and criminal background checks.~~

3 ~~—— C(1) An educator shall obtain the signature of the educator's direct administrative~~
4 ~~supervisor on the educator's renewal form.~~

5 ~~—— (2) The educator's direct administrative supervisor described in R277-500-4C(1)~~
6 ~~shall be a licensed administrator.~~

7 ~~—— (3) If an educator's supervisor is not a licensed administrator then the form shall be~~
8 ~~signed by the next highest administrative supervisor who is a licensed administrator.~~

9 ~~—— (4) If the educator is the highest administrative authority in the LEA then the form~~
10 ~~shall be signed by the president or chairperson of the LEA's governing board.~~

11 ~~—— D. An educator who is seeking a license renewal shall obtain the signature of a~~
12 ~~licensed administrator on the educator's license renewal form.~~

13 ~~—— E(1) The Superintendent shall charge a fee, set by the Superintendent, to an~~
14 ~~educator seeking renewal from an inactive status or requesting level changes.~~

15 ~~—— (2) The Superintendent shall charge an educator with an active license renewal fee~~
16 ~~consistent with R277-502~~

17 ~~—— F. The Superintendent shall audit a random sample of approximately ten percent~~
18 ~~of the annual online renewals.~~

19 ~~—— G. An educator selected for an audit described in R277-500-4F:~~

20 ~~—— (1) shall submit the Professional Learning Plan Completion Form with the~~
21 ~~appropriate signatures to the USOE in a timely manner.~~

22 ~~—— (2) shall receive a warning letter and may be referred to UPPAC if documentation~~
23 ~~is not submitted as requested.~~

24 ~~—— (3) shall be referred to UPPAC for possible license discipline if the documentation~~
25 ~~reveals fraudulent or unprofessional actions.~~

26 ~~—— H. The Superintendent may review or audit renewal transactions including the~~
27 ~~professional learning plan, signatures, and documentation of professional learning~~
28 ~~activities.~~

1 ~~**R277-500-5. Categories of Acceptable Activities for License Renewal.**~~

2 ~~——— A(1) An educator may earn licensure renewal points based on the educator's~~
3 ~~employment in a position requiring a Utah educator license during the educator's license~~
4 ~~cycle.~~

5 ~~——— (2) An educator may only count years of employment with satisfactory performance~~
6 ~~evaluations for license renewal points.~~

7 ~~——— (3) A Level 1 license holder may earn 25 license renewal points per year of~~
8 ~~employment to a maximum of 50 points per license cycle.~~

9 ~~——— (4) A Level 2 or 3 license holder may earn 35 license renewal points per year of~~
10 ~~employment to a maximum of 105 points per license cycle.~~

11 ~~——— B(1) An educator shall complete a college or university course with a C or better, or~~
12 ~~a pass, to have the course apply to the educator's license.~~

13 ~~——— (2) Each semester hour of university or college credit, as recorded on an official~~
14 ~~transcript, equals 18 license renewal points.~~

15 ~~——— C(1) USOE professional learning credit:~~

16 ~~——— (a) shall be approved as described in R277-519-3; and~~

17 ~~——— (b) shall be successfully completed through attendance and through completion of~~
18 ~~required project(s).~~

19 ~~——— (2) Each semester credit hour equals 15 license renewal points.~~

20 ~~——— (3) An LEA may request approval of USOE professional learning credit by submitting~~
21 ~~a request to the Superintendent through the USOE-sponsored online professional learning~~
22 ~~tracking system.~~

23 ~~——— (4) An LEA shall request approval from the Superintendent at least four weeks prior~~
24 ~~to the beginning date of the scheduled professional learning activity.~~

25 ~~——— (5) The professional learning credit may be denied if the LEA does not seek~~
26 ~~approval from the Superintendent in advance.~~

27 ~~——— D. An LEA-sponsored or approved professional learning activity:~~

28 ~~——— (1) shall be approved by the LEA at least four weeks prior to the scheduled activity;~~

29 ~~and~~

- 1 ~~—— (2) may include LEA or school based professional learning such as:~~
- 2 ~~—— (a) participating in professional learning communities;~~
- 3 ~~—— (b) development of LEA or school curriculum;~~
- 4 ~~—— (c) planning and implementation of a school improvement plan;~~
- 5 ~~—— (d) mentoring a Level 1 teacher;~~
- 6 ~~—— (e) engaging in instructional coaching;~~
- 7 ~~—— (f) conducting action research;~~
- 8 ~~—— (g) studying student work with colleagues to inform instruction.~~
- 9 ~~—— E. Each clock hour of scheduled professional learning activity time equals one~~
- 10 ~~license renewal point, not to exceed 25 points per activity per year.~~
- 11 ~~—— F(1) Acceptable alternative professional learning activities for an educator include~~
- 12 ~~activities that enhance or improve education, yet may not fall into a specific category if the~~
- 13 ~~activities are approved by:~~
- 14 ~~—— (a) the educator's supervisor;~~
- 15 ~~—— (b) by a licensed administrator if the educator is an inactive educator; or~~
- 16 ~~—— (c) the Superintendent, with prior written approval by the Superintendent.~~
- 17 ~~—— (2) Each clock hour of participation equals one license renewal point, not to exceed~~
- 18 ~~25 points per activity.~~
- 19 ~~—— G. Conferences, workshops, institutes, symposia, or staff-development programs:~~
- 20 ~~—— (1) Acceptable workshops and programs shall be approved by the educator's~~
- 21 ~~supervisor, by a licensed administrator if the educator is an inactive educator, or with prior~~
- 22 ~~written approval by the Superintendent.~~
- 23 ~~—— (2) Each clock hour of participation equals one license renewal point, not to exceed~~
- 24 ~~25 points per activity.~~
- 25 ~~—— G. Content and pedagogy testing:~~
- 26 ~~—— (1) Acceptable tests include those approved by the Board.~~
- 27 ~~—— (2) Each Board-approved test score report submitted, with a passing score, equals~~
- 28 ~~25 license renewal points.~~
- 29 ~~—— (3) Each test must be related to the educator's current or potential license area(s)~~

1 or endorsement(s).

2 ~~—— (4) No more than two test score reports may be submitted in a license cycle.~~

3 ~~—— H. Utah university sponsored cooperating teachers:~~

4 ~~—— (1) An educator working as a cooperating teacher with one or more student teachers~~
5 ~~may earn license renewal points.~~

6 ~~—— (2) Each clock hour spent supervising, collaborating with, and mentoring assigned~~
7 ~~student teachers equals one license renewal point not to exceed 25 points per license~~
8 ~~renewal cycle.~~

9 ~~—— I. Service in a leadership role in a national, state-wide, or LEA-recognized~~
10 ~~professional education organization:~~

11 ~~—— (1) Acceptable service shall be approved by the educator's supervisor or by a~~
12 ~~licensed administrator if the educator is an inactive educator.~~

13 ~~—— (2) Each clock hour of participation equals one license renewal point, not to exceed~~
14 ~~10 points per year.~~

15 ~~—— J. Educational research and innovation that results in a final, demonstrable product:~~

16 ~~—— (1) Acceptable activities shall be approved by the educator's supervisor or by a~~
17 ~~licensed administrator if the educator is an inactive educator.~~

18 ~~—— (2) The research activity shall be consistent with school and LEA policy.~~

19 ~~—— (3) Each clock hour of participation equals one license renewal point, not to exceed~~
20 ~~35 points per activity.~~

21 ~~—— K. Substituting in a Utah public LEA or accredited private school:~~

22 ~~—— (1) shall be considered an acceptable professional learning activity only for inactive~~
23 ~~educators paid and authorized as substitutes.~~

24 ~~—— (2) Two hours of documented substitute time equals one license renewal point, not~~
25 ~~to exceed 25 points per year or 50 points per license cycle.~~

26 ~~—— (3) Verification of hours shall be documented on LEA or school letterhead, list dates~~
27 ~~of employment, and signed by the supervising administrator.~~

28 ~~—— L. Paraprofessional or volunteer service in a Utah public LEA or accredited private~~
29 ~~school:~~

1 ~~——(1) shall be considered an acceptable professional learning activity only for inactive~~
2 ~~educators.~~

3 ~~——(2) Three hours of documented paraprofessional or volunteer service equals one~~
4 ~~license renewal point, not to exceed 25 points per year or 50 points per license cycle.~~

5 ~~——(3) Verification of hours shall be documented on LEA or school letterhead, list dates~~
6 ~~of service, and signed by the supervising administrator.~~

7 ~~——M. Credit for LEA lane change or other purposes is determined by the LEA and is~~
8 ~~awarded at the LEA's discretion. USOE professional learning credit should not be~~
9 ~~assumed to be credit for LEA purposes, such as salary or lane change credit.~~

10
11 ~~**R277-500-6. Board Directive to Educator License Holders for Fingerprint**~~
12 ~~**Background Check.**~~

13 ~~——A(1) The Superintendent shall require a licensed educator or license applicant to~~
14 ~~submit to a fingerprint background check and ongoing monitoring by the Superintendent~~
15 ~~through registration with the systems described in Section 53G-11-404 as a condition of~~
16 ~~licensure in Utah.~~

17 ~~——(2) A licensed educator shall submit a new fingerprint background check for ongoing~~
18 ~~monitoring within one calendar year prior to the date of the educator's next license renewal~~
19 ~~after July 1, 2015.~~

20 ~~——(3) A license applicant shall submit a new fingerprint background check for ongoing~~
21 ~~monitoring by the Superintendent.~~

22 ~~——(a) If a license applicant submits a new fingerprint background check on or after July~~
23 ~~1, 2015, the Superintendent shall require the license applicant to be enrolled in ongoing~~
24 ~~monitoring before the Superintendent may issue a new license to the license applicant.~~

25 ~~——(b) The Superintendent may issue a new license to a license applicant without~~
26 ~~enrolling the license applicant in ongoing monitoring if the license applicant's background~~
27 ~~check was cleared:~~

28 ~~——(i) less than three years prior to the issue date of the license; and~~

29 ~~——(ii) prior to July 1, 2015;~~

1 ~~—— (4) The Superintendent shall discontinue monitoring an individual through the~~
2 ~~systems described in Section 53G-11-404:~~

3 ~~—— (a) for a licensed educator, one year after the expiration of the most recently issued~~
4 ~~license; or~~

5 ~~—— (b) for a license applicant, five years after the submission of the background check.~~

6 ~~—— (5) If the fingerprint background check for a licensed educator or a license applicant~~
7 ~~is incomplete or under review by the Utah Professional Practices Advisory Commission~~
8 ~~(UPPAC), the individual's CACTUS file will direct the reviewer of the file to the~~
9 ~~Superintendent for further information.~~

10 ~~—— B. The Superintendent may direct a Utah educator license holder to have a criminal~~
11 ~~fingerprint background check under Section 53E-6-401 for good cause shown.~~

12 ~~—— C. If an educator license holder fails to comply with the directive in a reasonable~~
13 ~~time, following reasonable notice, and adequate due process, the educator license holder's~~
14 ~~license may be put into a pending status in the educator's CACTUS file subject to the~~
15 ~~educator license holder's compliance with the directive.~~

16 ~~—— D. The Board or its designee may review an educator license holder's compliance~~
17 ~~with the directive prior to the final decision about the educator license holder's license~~
18 ~~status.~~

19
20 **~~R277-500-7. Exceptions or Waivers to this Rule.~~**

21 ~~—— A. The Superintendent may make exceptions to the provisions of this rule for unique~~
22 ~~and compelling circumstances if the exception is granted consistent with the purposes of~~
23 ~~this rule and the authorizing statutes.~~

24 ~~—— B. An educator may request an exception described in R277-500-7A.~~

25 ~~—— C. An educator shall submit a request to the Superintendent for an exception~~
26 ~~described in R277-500-7C in writing at least 30 days prior to the license holder's renewal~~
27 ~~date.~~

28 ~~—— D. The Superintendent shall approve or deny a request for an exception described~~
29 ~~in R277-500-7C in a timely manner.~~

REPEAL
March 30, 2020

1 ~~_____ E. A denial of a request described in R277-500-7D is not subject to administrative~~
2 ~~appeal.~~

3

4 ~~**KEY: educator license renewal, professional learning, fingerprint background check**~~

5 ~~**Date of Enactment or Last Substantive Amendment: August 26, 2015**~~

6 ~~**Notice of Continuation: July 1, 2015**~~

7 ~~**Authorizing, and Implemented, or Interpreted Law: 53E-6-201; 53E-3-401(4)]**~~