

**DISCLOSURE OF INFORMATION RELATING
TO PRIOR SCHOOL EMPLOYMENT**

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Sheryl L. Allen

AN ACT RELATING TO PUBLIC SCHOOLS; PROVIDING THAT AN APPLICANT FOR A TEACHER'S LICENSE PROVIDE THE LICENSING AUTHORITY WITH AN AFFIDAVIT LISTING THE HIGHER EDUCATION INSTITUTIONS ATTENDED BY THE APPLICANT AND WHETHER THE APPLICANT'S ENROLLMENT OR ELIGIBILITY FOR COMPLETION OF A PROGRAM WAS TERMINATED BY THE INSTITUTIONS, AND THE REASONS FOR THE TERMINATION; AND REQUIRING A RELEASE FROM AN APPLICANT TO OBTAIN RECORDS REGARDING THE APPLICANT'S PAST CONDUCT FROM INSTITUTIONS OF HIGHER EDUCATION AND FORMER SCHOOL EMPLOYERS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

53A-6-404, as enacted by Chapter 108, Laws of Utah 1999

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-6-404** is amended to read:

53A-6-404. Certification in other jurisdictions -- Impact on licensing in Utah.

(1) An applicant for a license, renewal of a license, or reinstatement of a license shall provide the administrator of teacher licensing with an affidavit, stating under oath the current status of any certificate, license, or other authorization required for a professional position in education, which the applicant holds or has held in any other jurisdiction.

(2) An applicant for a license who has held a teacher's license in any other jurisdiction or who graduated from an institution of higher education in another state shall also provide the administrator of teacher licensing with:

(a) a complete listing of the higher education institutions attended by the applicant, whether the applicant's enrollment or eligibility for completion of a program was terminated by the institution, and, if so, the reasons for termination;

(b) a complete list of prior school employers; and

(c) a release on a form provided by the administrator permitting the office to obtain records from other jurisdictions and from institutions of higher education attended by the applicant, including expunged or otherwise protected records, relating to any offense described substantially in the same language as in Subsection 53A-6-401(4).

~~[(2)]~~ (3) If the applicant's certificate, license, or authorization as an educator in any other jurisdiction is under investigation, has expired or been surrendered, suspended or revoked, or is currently not valid for any other reason, ~~[then]~~ the office may not grant the requested license, renewal, or reinstatement until it has received confirmation from the administrator of professional certification in that jurisdiction that the applicant would be eligible for certification or licensure in that jurisdiction.

~~[(3)]~~ (4) The office may not withhold a license for the sole reason that the applicant would be ineligible for certification, licensure, or authorization in the jurisdiction referred to in Subsection ~~[(2)]~~ (3) because of failure to meet current requirements in that jurisdiction relating to education, time in service, or residence.