

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

3                                   2000 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Sponsor: Sheryl L. Allen**

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

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

15 AMENDS:

16                   **53A-6-404**, as enacted by Chapter 108, Laws of Utah 1999

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

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

19                   **53A-6-404. Certification in other jurisdictions -- Impact on licensing in Utah.**

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

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

27                   (a) a complete listing of the higher education institutions attended by the applicant,

28 whether the applicant's enrollment or eligibility for completion of a program was terminated by  
29 the institution, and, if so, the reasons for termination;

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

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

35 [~~2~~] (3) If the applicant's certificate, license, or authorization as an educator in any other  
36 jurisdiction is under investigation, has expired or been surrendered, suspended or revoked, or is  
37 currently not valid for any other reason, [~~then~~] the office may not grant the requested license,  
38 renewal, or reinstatement until it has received confirmation from the administrator of professional  
39 certification in that jurisdiction that the applicant would be eligible for certification or licensure  
40 in that jurisdiction.

41 [~~3~~] (4) The office may not withhold a license for the sole reason that the applicant would  
42 be ineligible for certification, licensure, or authorization in the jurisdiction referred to in  
43 Subsection [~~2~~] (3) because of failure to meet current requirements in that jurisdiction relating to  
44 education, time in service, or residence.

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**Legislative Review Note**  
**as of 1-25-00 8:11 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**