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TEACHER LICENSURE AMENDMENTS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Norman K Thurston
Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill addresses changes in teacher licensure requirements.

Highlighted Provisions:

This bill:

- ▶ amends legislative findings on teacher competency;
- ▶ directs the State Board of Education (state board) and the Utah Board of Higher Education to develop a strategy for modifying traditional and alternative programs for training and licensing teachers;
- ▶ prohibits the state board from requiring a pedagogical performance assessment to obtain licensure;
- ▶ amends rulemaking authority for the state board;
- ▶ limits the delegation of authority regarding preparation programs;
- ▶ clarifies roles for local education agencies; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 53E-6-103**, as last amended by Laws of Utah 2019, Chapter 186
- 53E-6-201**, as last amended by Laws of Utah 2023, Chapter 368
- 53E-6-301**, as last amended by Laws of Utah 2022, Chapter 285
- 53E-6-302**, as last amended by Laws of Utah 2022, Chapter 285

28 **53E-6-902**, as last amended by Laws of Utah 2020, Chapter 408

29 **53G-11-509**, as last amended by Laws of Utah 2019, Chapter 293

30 ENACTS:

31 **53E-6-206**, as Utah Code Annotated 1953

32

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

34 Section 1. Section **53E-6-103** is amended to read:

35 **53E-6-103 . Legislative findings on teacher quality -- Declaration of education as**
 36 **a profession.**

37 (1) (a) The Legislature acknowledges that education is perhaps the most important
 38 function of state and local governments, recognizing that the future success of our
 39 state and nation depend in large part upon the existence of a responsible and educated
 40 citizenry.

41 (b) The Legislature further acknowledges that the primary responsibility for the
 42 education of children within the state resides with their parents and that the role of
 43 state and local governments is to support and assist parents in fulfilling that
 44 responsibility.

45 (2) (a) The Legislature finds that:

46 (i) quality teaching is the basic building block of successful schools and, outside of
 47 home and family circumstances, the essential component of student achievement;

48 (ii) the high quality of teachers is absolutely essential to enhance student achievement
 49 and to assure educational excellence in each classroom in the state's public
 50 schools; and

51 (iii) the implementation of a comprehensive continuum of data-driven strategies
 52 regarding recruitment, preservice, licensure, induction, professional development,
 53 and evaluation is essential if the state and its citizens expect every classroom to be
 54 staffed by a skilled, caring, and effective teacher.

55 (b) In providing for the safe and effective performance of the function of educating
 56 Utah's children, the Legislature further finds it to be of critical importance that
 57 education, including instruction, administrative, and supervisory services, be
 58 recognized as a profession, and that those who are licensed or seek to become
 59 licensed and to serve as educators:

60 (i) meet high standards both as to qualifications and fitness for service as educators
 61 through quality recruitment and preservice programs [~~before assuming their~~

- 62 responsibilities in the schools] designed to provide opportunities to demonstrate
 63 competency in a school classroom setting;
 64 (ii) maintain those standards in the performance of their duties while holding
 65 licenses, in large part through participating in induction and ongoing professional
 66 development programs focused on instructional improvement;
 67 (iii) receive fair, systematic evaluations of their performance at school for the
 68 purpose of enhancing the quality of public education and student achievement; and
 69 (iv) have access to a process for fair examination and review of allegations made
 70 against them and for the administration of appropriate sanctions against those
 71 found, in accordance with due process, to have failed to conduct themselves in a
 72 manner commensurate with their authority and responsibility to provide
 73 appropriate professional services to the children of the state.

74 Section 2. Section **53E-6-201** is amended to read:

75 **53E-6-201 . State board licensure.**

- 76 (1) The state board shall [~~establish in rule made~~] make rules in accordance with Title 63G,
 77 Chapter 3, Utah Administrative Rulemaking Act, to establish a system for educator
 78 licensing that includes:
 79 (a) an associate educator license that permits an individual to provide educational
 80 services in a public school while working to meet the requirements of a professional
 81 educator license;
 82 (b) a professional educator license that permits an individual to provide educational
 83 services in a public school after demonstrating that the individual meets licensure
 84 requirements established in state board rule;
 85 (c) an LEA-specific educator license issued by the state board at the request of an LEA's
 86 governing body that is valid for an individual to provide educational services in the
 87 requesting LEA's schools; [~~and~~]
 88 (d) beginning in the 2023-2024 school year, a provider-specific license issued by the
 89 state board at the request of an authorized online course provider described in
 90 Subsection 53F-4-504 that:
 91 (i) is valid for an individual to provide educational services to a student enrolled in an
 92 online course described in 53F-4-503; and
 93 (ii) contains eligibility criteria that is no more stringent than the requirements for a
 94 license described in Subsection (1)(c)[~~;~~] ; and
 95 (e) beginning in the 2029-2030 school year, the creation or modification of licenses if

96 any are created or modified under Section 53G-6-206.

97 (2) An individual employed in a position that requires licensure by the state board shall
98 hold the license that is appropriate to the position.

99 (3) (a) (i) [The] Except as provided in Subsection (3)(a)(ii), the state board may [by
100 rule made] make rules in accordance with Title 63G, Chapter 3, Utah
101 Administrative Rulemaking Act, [-]rank, endorse, or otherwise classify licenses
102 and establish the criteria for obtaining, retaining, and reinstating licenses.

103 (ii) The state board may not make licensure contingent upon passage of a pedagogical
104 performance assessment.

105 (b) An educator who is enrolling in a course of study at an institution within the state
106 system of higher education to satisfy the state board requirements for retaining a
107 license is exempt from tuition, except for a semester registration fee established by
108 the Utah Board of Higher Education, if:

109 (i) the educator is enrolled on the basis of surplus space in the class after regularly
110 enrolled students have been assigned and admitted to the class in accordance with
111 regular procedures, normal teaching loads, and the institution's approved budget;
112 and

113 (ii) enrollments are determined by each institution under rules and guidelines
114 established by the Utah Board of Higher Education in accordance with findings of
115 fact that space is available for the educator's enrollment.

116 Section 3. Section **53E-6-206** is enacted to read:

117 **53E-6-206 . Expansion of traditional and alternative programs for teacher**
118 **training.**

119 (1) (a) By July 1, 2028, the state board and the Utah Board of Higher Education, in
120 consultation with administrators and staff directly responsible for hiring licensed
121 educators at an LEA or regional education service agency as defined in Section
122 53G-4-410, shall develop a strategy for modifying traditional and alternative
123 programs for training teachers.

124 (b) The strategy described in Subsection (1)(a) shall include consideration of:

125 (i) competency-based approaches;

126 (ii) experiential learning, including apprenticeships; and

127 (iii) degree-agnostic qualifications.

128 (2) (a) Subject to having an agreement between at least one institution of higher
129 education and the state board, the state board shall modify requirements for

- 130 traditional and alternative training program licenses to accommodate the strategy
131 described in Subsection (1).
- 132 (b) The changes described in Subsection (2)(a) may include the modification of
133 requirements necessary for:
- 134 (i) a license based on an associates degree;
135 (ii) competency-based training programs;
136 (iii) accommodations for non-traditional students;
137 (iv) credit for competency obtained through prior learning or experience; or
138 (v) other options that would accommodate the strategy described in Subsection (1).

139 Section 4. Section **53E-6-301** is amended to read:

140 **53E-6-301 . Qualifications of applicants for licenses -- Changes in qualifications.**

- 141 (1) As used in this section:
- 142 (a) "Literacy preparation assessment" means an examination that evaluates an
143 individual's knowledge of the science of reading, related to literacy instruction for an
144 individual who teaches preschool, elementary school, or special education.
- 145 (b) "Required literacy preparation assessment" means a literacy preparation assessment
146 that the state board uses to determine the qualifications of license applicants.
- 147 (2) The state board shall establish by rule made in accordance with Title 63G, Chapter 3,
148 Utah Administrative Rulemaking Act, the scholarship, competencies, training, and
149 experience required of license applicants.
- 150 (3) (a) The state board shall announce any increase in the requirements when made.
151 (b) An increase in requirements shall become effective not less than one year from the
152 date of the announcement.
- 153 (4) (a) [The] Except as provided in Subsection (4)(b), the state board may determine by
154 examination or otherwise the qualifications of license applicants.
- 155 (b) The state board may not make licensure contingent upon passage of a pedagogical
156 performance assessment.
- 157 (5) If the state board uses a required literacy preparation assessment under Subsection (4):
- 158 (a) (i) the state board shall make rules to allow an LEA to hire a license applicant
159 who does not successfully pass the required literacy preparation assessment for a
160 limited duration pending successful passage; and
- 161 (ii) the license applicant is not eligible for a professional educator license described
162 in Section 53E-6-201 until the license applicant successfully passes the required
163 literacy preparation assessment; and

- 164 (b) the state board may make rules in accordance with Title 63G, Chapter 3, Utah
165 Administrative Rulemaking Act, to:
- 166 (i) establish exemptions for the required literacy preparation assessment; and
167 (ii) develop a pathway to demonstrate early literacy competency as an exception to
168 the requirement to pass the required literacy preparation assessment.

169 Section 5. Section **53E-6-302** is amended to read:

170 **53E-6-302 . Educator preparation programs.**

171 (1) As used in this section:

172 (a) "Educator preparation program" means:

- 173 (i) a university teacher education program; or
174 (ii) a program that prepares individuals using an alternative pathway to licensure, as
175 the state board provides, that does not include content or time requirements that
176 conflict with the content or time requirements described in rule made by the state
177 board in accordance with Subsection (2).

178 (b) "Required literacy preparation assessment" means the same as that term is defined in
179 Section 53E-6-301.

180 (c) "University teacher preparation program" means a program that an institution of
181 higher education offers to prepare educators for licensure.

182 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
183 state board shall make rules that establish standards for approval of an educator
184 preparation program.

185 (3) The state board shall ensure that standards adopted under Subsection (2):

186 (a) meet or exceed generally recognized national standards for preparation of educators;
187 and

188 (b) include requirements for educator preparation programs to:

- 189 (i) provide instruction in the science of reading; and
190 (ii) prepare license applicants to pass the required literacy preparation assessment at
191 no cost to the applicants for the preparation, including providing ongoing
192 preparation for up to three total attempts of the required literacy preparation
193 assessment.

194 (4) The state board shall designate an employee of the state board's staff to:

- 195 (a) work with education deans of state institutions of higher education to coordinate
196 university teacher preparation programs that may include:
197 (i) monitoring courses for university teacher preparation programs; and

- 198 (ii) working with course instructors for university teacher preparation programs;
- 199 (b) act as a liaison between:
- 200 (i) the state board;
- 201 (ii) local school boards or charter school governing boards; and
- 202 (iii) representatives of university teacher preparation programs; and
- 203 (c) report the employee's findings and recommendations for the improvement of teacher
- 204 preparation programs to:
- 205 (i) the state board; and
- 206 (ii) education deans of state institutions of higher education.
- 207 (5) The state board shall:
- 208 (a) in good faith, consider the findings and recommendations described in Subsection
- 209 (4)(c); and
- 210 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 211 make rules, as the state board determines is necessary, to implement
- 212 recommendations described in Subsection (4)(c).
- 213 (6) Subject to legislative appropriations, the Utah Board of Higher Education shall:
- 214 (a) provide matching funds to each of the state's institutions of higher education with a
- 215 university teacher preparation program:
- 216 (i) to hire an additional faculty member who has training in the science of reading
- 217 and the science of reading instruction; and
- 218 (ii) in an amount equal to 75% of the cost of making the hire described in Subsection
- 219 (6)(a) if the institution provides 25% of the cost; and
- 220 (b) consult the state superintendent regarding:
- 221 (i) criteria for the hire described in Subsection (6)(a) that would qualify for a
- 222 distribution of funding; and
- 223 (ii) an individual institution's fulfillment of the criteria described in Subsection
- 224 (6)(b)(i) before distributing funding.
- 225 (7) An institution that hires an additional faculty member shall coordinate with the science
- 226 of reading panel described in Section 53E-3-1003 to include two members of the panel
- 227 in the institution's hiring process.
- 228 (8) The state board shall:
- 229 (a) monitor accreditation of university programs regarding the science of reading
- 230 preparation described in Subsection (3)(b) at the institutions described in Subsection
- 231 (6)(a); and

- 232 (b) (i) develop strategies to provide support for preparation programs with low rates
 233 of passage on the required literacy preparation assessment; and
 234 (ii) provide increasing levels of support to a preparation program with low rates of
 235 passage on the required literacy preparation assessment for two consecutive years.

236 Section 6. Section **53E-6-902** is amended to read:

237 **53E-6-902 . Teacher leaders.**

- 238 (1) As used in this section, "teacher" means an educator who has an assignment to teach in
 239 a classroom.
- 240 (2) There is created the role of a teacher leader to:
- 241 (a) work with a student teacher and a teacher who supervises a student teacher;
 242 (b) assist with the training of a recently hired teacher; [~~and~~]
 243 (c) support school-based professional learning[~~;~~] ; and
 244 (d) provide feedback on the demonstration of competencies for an applicant seeking
 245 licensure through a preparation program.
- 246 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 247 state board shall make rules that:
- 248 (a) define the role of a teacher leader, including the functions described in Subsection
 249 (2); and
 250 (b) establish the minimum criteria for a teacher to qualify as a teacher leader.
- 251 (4) The state board shall solicit recommendations from school districts and educators
 252 regarding:
- 253 (a) appropriate resources to provide a teacher leader; and
 254 (b) appropriate ways to compensate a teacher leader.

255 Section 7. Section **53G-11-509** is amended to read:

256 **53G-11-509 . Mentor for provisional educator.**

- 257 (1) In accordance with [~~Subsections~~] Section 53E-6-902, Subsection 53E-2-302(7), and
 258 Subsections 53E-6-103(2)(a) and (b), the principal or immediate supervisor of a
 259 provisional educator shall assign a person who has received training or will receive
 260 training in mentoring educators as a mentor to the provisional educator.
- 261 (2) Where possible, the mentor shall be a career educator who performs substantially the
 262 same duties as the provisional educator and has at least three years of educational
 263 experience.
- 264 (3) The mentor shall assist the provisional educator to become effective and competent in
 265 the teaching profession and school system, but may not serve as an evaluator of the

266 provisional educator.

267 (4) An educator who is assigned as a mentor may receive compensation for those services
268 in addition to the educator's regular salary.

269 Section 8. **Effective date.**

270 This bill takes effect on May 1, 2024.