

1 **TUITION WAIVERS FOR TEACHERS**

2 2001 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Wayne A. Harper**

5 **This act modifies provisions related to the State System of Public Education by granting**
6 **tuition and fee waivers to educators for courses taken at higher education institutions that**
7 **satisfy professional development requirements for retaining a license to teach. The act takes**
8 **effect July 1, 2001.**

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

10 AMENDS:

11 **53A-6-104**, as last amended by Chapter 331, Laws of Utah 2000

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

13 Section 1. Section **53A-6-104** is amended to read:

14 **53A-6-104. Board licensure.**

15 (1) (a) The board may issue licenses for educators.

16 (b) (i) A person employed in a position that requires licensure by the board shall hold the
17 appropriate license.

18 (ii) The board shall issue a letter of authorization permitting a person to be employed as
19 a classroom teacher if requested by a local school board which has determined that:

20 (A) the person has outstanding professional qualifications; and

21 (B) employment of the person would permit the school district to better meet the
22 educational goals of students.

23 (2) (a) The board may by rule rank, endorse, or otherwise classify licenses and establish
24 the criteria for obtaining and retaining licenses.

25 (b) (i) The board shall make rules requiring participation in professional development
26 activities in order for educators to retain their licenses.

27 (ii) (A) An educator who enrolls in a course of study at a state institution of higher



28 education to satisfy the professional development requirements under Subsection (2)(b)(i) qualifies
 29 for a 50% waiver of tuition and fees charged by the institution for the course, except as otherwise
 30 provided in Subsection (2)(b)(ii)(B).

31 (B) An educator qualifies for a full waiver of tuition and fees under Subsection
 32 (2)(b)(ii)(A) if the educator is teaching in a targeted subject area.

33 (C) For purposes of Subsection (2)(b)(ii)(B), the board shall, by rule, define targeted
 34 subject area to include those areas for which it is difficult to recruit qualified educators or where
 35 there are shortages in personnel, such as special education, technology, math, and science.

36 (D) The State Board of Education ~~h~~ [may] SHALL ~~h~~ require an educator who receives a
 36a waiver under
 37 Subsection (2)(b)(ii) to repay the tuition and fees waived for the course if the educator:

38 (I) fails to obtain at least a ~~h~~ ["C"] "B" ~~h~~ grade in the course; or

39 (II) does not teach in the state's public schools for at least three years after completing the
 40 course.

40a **~~h~~ (E) THE STATE BOARD OF EDUCATION SHALL REIMBURSE HIGHER EDUCATION**
 40b **INSTITUTIONS FOR WAIVERS GIVEN UNDER SUBSECTION (2)(b) FROM THE ANNUAL**
 40c **APPROPRIATION MADE BY THE LEGISLATURE TO FUND THE PROGRAM. ~~h~~**

41 (3) Unless suspended or revoked by the board, or surrendered by the educator, a license
 42 is valid for the following period:

43 (a) a letter of authorization is valid for one year, or a shorter period as specified by the
 44 board, subject to renewal by the board for a total of not more than four years of full-time
 45 equivalent employment;

46 (b) a level 1 license is valid for three years, subject to renewal by the board for a total of
 47 not more than six years;

48 (c) a level 2 license is valid for five years, subject to renewal by the board; and

49 (d) a level 3 license is valid for seven years, subject to renewal by the board.

50 Section 2. **Effective date.**

51 This act takes effect on July 1, 2001.

Legislative Review Note

as of 12-14-00 9:22 AM

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

Office of Legislative Research and General Counsel