

RURAL SCHOOLS - EQUITY IN EDUCATION

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Bradley T. Johnson

This act modifies provisions related to the State System of Public Education by allowing the State Board of Education to award scholarships to teachers in necessarily existent small schools or small school districts to obtain endorsements or master's degrees. This act directs the State Board of Education to make rules to administer the scholarship program and provides an ongoing appropriation of \$150,000 from the Uniform School Fund for fiscal year 2002-03 to the State Board of Education for the scholarship program. This act takes effect on July 1, 2002.

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

AMENDS:

53A-6-103, as repealed and reenacted by Chapter 108, Laws of Utah 1999

ENACTS:

53A-6-701, Utah Code Annotated 1953

53A-6-702, Utah Code Annotated 1953

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

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

53A-6-103. Definitions.

As used in this chapter:

(1) "Accredited institution" means an institution meeting the requirements of Section 53A-6-107.

(2) "Alternative preparation program" means preparation for licensure in accordance with applicable law and rule through other than an approved preparation program.

(3) "Ancillary requirement" means a requirement established by law or rule in addition to completion of an approved preparation program or alternative education program or establishment



28 of eligibility under the NASDTEC Interstate Contract, and may include any of the following:

- 29 (a) minimum grade point average;
- 30 (b) standardized testing or assessment;
- 31 (c) mentoring;
- 32 (d) recency of professional preparation or experience;
- 33 (e) graduation from an accredited institution; or
- 34 (f) evidence relating to moral, ethical, physical, or mental fitness.

35 (4) "Approved preparation program" means a program for preparation of educational
36 personnel offered through an accredited institution in Utah or in a state which is a party to a
37 contract with Utah under the NASDTEC Interstate Contract and which, at the time the program
38 was completed by the applicant:

- 39 (a) was approved by the governmental agency responsible for licensure of educators in the
40 state in which the program was provided;
- 41 (b) satisfied requirements for licensure in the state in which the program was provided;
- 42 (c) required completion of a baccalaureate; and
- 43 (d) included a supervised field experience.

44 (5) "Board" means the Utah State Board of Education.

45 (6) "Certificate" means a license issued by a governmental jurisdiction outside the state.

46 (7) "Educator" means:

- 47 (a) a person who holds a license;
- 48 (b) a teacher, counselor, administrator, librarian, or other person required, under rules of
49 the board, to hold a license; or

50 (c) a person who is the subject of an allegation which has been received by the board or
51 UPPAC and was, at the time noted in the allegation, a license holder or a person employed in a
52 position requiring licensure.

53 (8) "Endorsement" means a stipulation appended to a license setting forth the areas of
54 practice to which the license applies.

55 (9) "License" means an authorization issued by the board which permits the holder to serve
56 in a professional capacity in the public schools. The four levels of licensure are:

57 (a) "Letter of authorization," which is a temporary license issued to a person who has not
58 completed requirements for a level 1, 2, or 3 license, such as a student teacher or a person hired

59 to perform professional services on an emergency basis when fully qualified personnel are not
60 available;

61 (b) "Level 1 license," which is a license issued upon completion of an approved
62 preparation program or an alternative preparation program, or pursuant to an agreement under the
63 NASDTEC Interstate Contract, to candidates who have also met all ancillary requirements
64 established by law or rule;

65 (c) "Level 2 license," which is a license issued after satisfaction of all requirements for a
66 Level 1 license as well as any additional requirements established by law or rule relating to
67 professional preparation or experience; and

68 (d) "Level 3 license," which is a license issued to an educator who holds a current Utah
69 Level 2 license and has also received, in the educator's field of practice, National Board
70 certification or a doctorate from an accredited institution.

71 (10) "NASDTEC" means the National Association of State Directors of Teacher Education
72 and Certification.

73 (11) "NASDTEC Interstate Contract" means the contract implementing Title 53A, Chapter
74 6, Part 2, Compact for Interstate Qualification of Educational Personnel, which is administered
75 through NASDTEC.

76 (12) "National Board certification" means a current certificate issued by the National
77 Board for Professional Teaching Standards.

78 (13) "Necessarily existent small school" means a school classified as a necessarily existent
79 small school in accordance with Section 53A-17a-109.

80 [~~13~~] (14) "Office" means the Utah State Office of Education.

81 [~~14~~] (15) "Rule" means an administrative rule adopted by the board under Title 63,
82 Chapter 46a, Utah Administrative Rulemaking Act.

83 [~~15~~] (16) "School" means a public or private entity which provides educational services
84 to a minor child.

85 (17) "Small school district" means a school district with an enrollment of less than 5,000
86 students.

87 [~~16~~] (18) "UPPAC" means the Utah Professional Practices Advisory Commission.
88 Section 2. Section **53A-6-701** is enacted to read:

89 **Part 7. Scholarships for Teachers in Necessarily Existent Small Schools**

or Small School Districts

53A-6-701. Scholarships for teachers to obtain endorsements or master's degrees --

Conditions.

(1) The State Board of Education may award scholarships to teachers in necessarily existent small schools or small school districts to pay for education expenses related to obtaining:

(a) an endorsement; or

(b) a master's degree that qualifies the teacher to teach advanced placement or concurrent enrollment classes.

(2) The maximum amount of a scholarship shall be \$3,000.

(3) (a) As a condition of each scholarship, the scholarship recipient shall be obligated to teach for two years in a necessarily existent small school or small school district, as provided in Subsection (3)(b) or (c).

(b) A scholarship recipient obtaining an endorsement shall be obligated to teach for two years the subject for which the endorsement was obtained.

(c) A scholarship recipient obtaining a master's degree shall be obligated to teach for two years an advanced placement or concurrent enrollment class.

Section 3. Section **53A-6-702** is enacted to read:

53A-6-702. Rules.

(1) The State Board of Education shall make rules:

(a) specifying procedures for applying for and awarding the scholarships described in Section 53A-6-701;

(b) specifying criteria for selecting scholarship recipients;

(c) requiring the repayment by a teacher of a prorated portion of a scholarship, if the teacher fails to comply with the conditions of the scholarship as provided in Section 53A-6-701;

and

(d) specifying education expenses that may be paid with scholarship monies.

(2) The board rules shall provide that priority in awarding scholarships shall be given to applicants teaching in schools in critical need of a teacher with a particular endorsement or a master's degree as documented by the school principal or school district superintendent.

Section 4. Appropriation.

(1) Subject to future budget constraints, there is appropriated, as an ongoing appropriation,

121 \$150,000 for fiscal year 2002-03 from the Uniform School Fund to the State Board of Education
122 for the scholarship program described in Title 53A, Chapter 6, Part 7, Scholarships for Teachers
123 in Necessarily Existent Small Schools or Small School Districts.

124 (2) Of the amount appropriated in Subsection (1):

125 (a) \$75,000 shall be used for scholarships for teachers to obtain endorsements; and

126 (b) \$75,000 shall be used for scholarships for teachers to obtain master's degrees.

127 Section 5. **Effective date.**

128 This act takes effect on July 1, 2002.

Legislative Review Note
as of 1-16-02 8:47 AM

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

Office of Legislative Research and General Counsel