

**SCHOOL DISTRICT EMPLOYEES - CAREER  
STATUS REQUIREMENTS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ronda Rudd Menlove**

Senate Sponsor: Howard A. Stephenson

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**LONG TITLE**

**General Description:**

This bill modifies the Utah Orderly School Termination Procedures Act regarding requirements for school district employees to obtain career status.

**Highlighted Provisions:**

This bill:

- ▶ allows a school district to extend the period of time a provisional employee must work to obtain career status.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53A-8-106**, as last amended by Laws of Utah 2003, Chapter 315

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

Section 1. Section **53A-8-106** is amended to read:

**53A-8-106. Career employee status for provisional employees.**

(1) (a) A provisional employee must work for a school district on at least a half-time basis for three consecutive years to obtain career employee status.

(b) A school district may extend the provisional status of an employee up to an

30 additional two consecutive years in accordance with a written policy adopted by the district's  
31 school board that specifies the circumstances under which an employee's provisional status  
32 may be extended.

33 (2) Policies of an employing school district shall determine the status of a career  
34 employee in the event of the following:

35 (a) the employee accepts a position which is substantially different from the position  
36 in which career status was achieved; or

37 (b) the employee accepts employment in another school district.

38 (3) If an employee who is under an order of probation or remediation in one  
39 assignment in a school district is transferred or given a new assignment in the district, the  
40 order shall stand until its provisions are satisfied.

41 (4) An employee who is given extra duty assignments in addition to a primary  
42 assignment, such as a teacher who also serves as a coach or activity advisor, is a temporary  
43 employee in those extra duty assignments and may not acquire career status beyond the  
44 primary assignment.

45 (5) A person is an at-will employee and is not eligible for career employee status if the  
46 person:

47 (a) is a teacher who holds a competency-based license pursuant to Section  
48 53A-6-104.5 and does not hold a level 1, 2, or 3 license as defined in Section 53A-6-103; or

49 (b) holds an administrative/supervisory letter of authorization pursuant to Section  
50 53A-6-110.