

**EDUCATOR LICENSING MODIFICATIONS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Norman K Thurston**

Senate Sponsor: Peter C. Knudson

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to educational personnel preparation programs.

**Highlighted Provisions:**

This bill:

- ▶ modifies provisions relating to educational personnel preparation programs; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53A-6-103**, as last amended by Laws of Utah 2008, Chapter 382

**53A-6-104**, as last amended by Laws of Utah 2003, Chapter 315

REPEALS AND REENACTS:

**53A-6-107**, as repealed and reenacted by Laws of Utah 1999, Chapter 108

REPEALS:

**53A-6-108**, as repealed and reenacted by Laws of Utah 1999, Chapter 108

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



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

29 **53A-6-103. Definitions.**

30 As used in this chapter:

31 ~~[(1) "Accredited institution" means an institution meeting the requirements of Section~~  
32 ~~53A-6-107.]~~

33 ~~[(2)]~~ (1) (a) "Alternative preparation program" means preparation for licensure in  
34 accordance with applicable law and rule through other than an ~~[approved]~~ eligible preparation  
35 program.

36 (b) "Alternative preparation program" includes the competency-based licensing  
37 program described in Section 53A-6-104.5.

38 ~~[(3) "Ancillary requirement" means a requirement established by law or rule in addition~~  
39 ~~to completion of an approved preparation program or alternative education program or~~  
40 ~~establishment of eligibility under the NASDTEC Interstate Contract, and may include any of~~  
41 ~~the following:]~~

42 ~~[(a) minimum grade point average;]~~

43 ~~[(b) standardized testing or assessment;]~~

44 ~~[(c) mentoring;]~~

45 ~~[(d) recency of professional preparation or experience;]~~

46 ~~[(e) graduation from an accredited institution; or]~~

47 ~~[(f) evidence relating to moral, ethical, physical, or mental fitness.]~~

48 ~~[(4) "Approved preparation program" means a program for preparation of educational~~  
49 ~~personnel offered through an accredited institution in Utah or in a state which is a party to a~~  
50 ~~contract with Utah under the NASDTEC Interstate Contract and which, at the time the program~~  
51 ~~was completed by the applicant:]~~

52 ~~[(a) was approved by the governmental agency responsible for licensure of educators in~~  
53 ~~the state in which the program was provided;]~~

54 ~~[(b) satisfied requirements for licensure in the state in which the program was~~  
55 ~~provided;]~~

56 ~~[(c) required completion of a baccalaureate; and]~~

57 ~~[(d) included a supervised field experience.]~~

58 ~~[(5)]~~ (2) "Board" means the Utah State Board of Education.

59           ~~[(6)]~~ (3) "Certificate" means a license issued by a governmental jurisdiction outside the  
60 state.

61           ~~[(7)]~~ (4) "Core academic subjects" means English, reading or language arts,  
62 mathematics, science, foreign languages, civics and government, economics, arts, history, and  
63 geography.

64           ~~[(8)]~~ (5) "Educator" means:

65           (a) a person who holds a license;

66           (b) a teacher, counselor, administrator, librarian, or other person required, under rules  
67 of the board, to hold a license; or

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

71           (6) "Eligible preparation program" means a program for preparation of educational  
72 personnel that meets the requirements of Section 53A-6-107.

73           ~~[(9)]~~ (7) (a) "Endorsement" means a stipulation appended to a license setting forth the  
74 areas of practice to which the license applies.

75           (b) An endorsement shall be issued upon completion of a competency-based teacher  
76 preparation program from a regionally accredited university that meets state content standards.

77           ~~[(10)]~~ (8) "License" means an authorization issued by the board which permits the  
78 holder to serve in a professional capacity in the public schools. The five levels of licensure are:

79           (a) "letter of authorization," which is:

80           (i) a temporary license issued to a person who has not completed requirements for a  
81 competency-based, or level 1, 2, or 3 license, such as:

82           (A) a student teacher; or

83           (B) a person participating in an ~~[alternative]~~ eligible preparation program; or

84           (ii) a license issued, pursuant to board rules, to a person who has achieved eminence,  
85 or has outstanding qualifications, in a field taught in public schools;

86           (b) "competency-based license" which is issued to a teacher based on the teacher's  
87 demonstrated teaching skills and abilities;

88           (c) "level 1 license," which is a license issued upon completion of:

89           (i) a competency-based teacher preparation program from a regionally accredited

90 university; or

91 (ii) an ~~[approved]~~ eligible preparation program or an alternative preparation program,  
92 or pursuant to an agreement under the NASDTEC Interstate Contract, to candidates who have  
93 also met all ~~[ancillary]~~ additional requirements established by law or rule;

94 (d) "level 2 license," which is a license issued after satisfaction of all requirements for  
95 a level 1 license as well as any additional requirements established by law or rule relating to  
96 professional preparation or experience; and

97 (e) "level 3 license," which is a license issued to an educator who holds a current Utah  
98 level 2 license and has also received, in the educator's field of practice, National Board  
99 certification or a doctorate from ~~[an accredited institution]~~ a regionally accredited higher  
100 education or postsecondary institution.

101 ~~[(11)]~~ (9) "NASDTEC" means the National Association of State Directors of Teacher  
102 Education and Certification.

103 ~~[(12)]~~ (10) "NASDTEC Interstate Contract" means the contract implementing Title  
104 53A, Chapter 6, Part 2, Compact for Interstate Qualification of Educational Personnel, which is  
105 administered through NASDTEC.

106 ~~[(13)]~~ (11) "National Board certification" means a current certificate issued by the  
107 National Board for Professional Teaching Standards.

108 ~~[(14)]~~ (12) "Necessarily existent small school" means a school classified as a  
109 necessarily existent small school in accordance with Section [53A-17a-109](#).

110 ~~[(15)]~~ (13) "Office" means the Utah State Office of Education.

111 ~~[(16)]~~ (14) "Rule" means an administrative rule adopted by the board under Title 63G,  
112 Chapter 3, Utah Administrative Rulemaking Act.

113 ~~[(17)]~~ (15) "School" means a public or private entity which provides educational  
114 services to a minor child.

115 ~~[(18)]~~ (16) "Small school district" means a school district with an enrollment of less  
116 than 5,000 students.

117 ~~[(19)]~~ (17) "UPPAC" means the Utah Professional Practices Advisory Commission.

118 Section 2. Section **53A-6-104** is amended to read:

119 **53A-6-104. Board licensure.**

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

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

123 (2) (a) ~~[The]~~ In accordance with this part, the board may by rule rank, endorse, or  
124 otherwise classify licenses and establish the criteria for obtaining and retaining licenses.

125 (b) A level 1 license applicant shall complete an eligible program to be eligible for a  
126 level 1 license.

127 (c) The board may, for good cause, grant a level 1 license applicant an exception to  
128 Subsection (2)(b).

129 ~~[(b)]~~ (d) (i) The board shall make rules requiring participation in professional  
130 development activities or compliance with a school district professional development plan as  
131 provided in Subsection (4) in order for educators to retain their licenses.

132 (ii) An educator who is enrolling in a course of study at an institution within the state  
133 system of higher education to satisfy the professional development requirements of Subsection  
134 (2)~~[(b)]~~(d)(i) is exempt from tuition, except for a semester registration fee established by the  
135 State Board of Regents, if:

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

139 (B) enrollments are determined by each institution under rules and guidelines  
140 established by the State Board of Regents in accordance with findings of fact that space is  
141 available for the educator's enrollment.

142 (3) Except as provided in Subsection (4), unless suspended or revoked by the board, or  
143 surrendered by the educator:

144 (a) a letter of authorization is valid for one year, or a shorter period as specified by the  
145 board, subject to renewal by the board in accordance with board rules;

146 (b) a competency-based license remains valid;

147 (c) a level 1 license is valid for three years, subject to renewal by the board in  
148 accordance with board rules;

149 (d) a level 2 license is valid for five years, subject to renewal by the board in  
150 accordance with board rules; and

151 (e) a level 3 license is valid for seven years, subject to renewal by the board in

152 accordance with board rules.

153 (4) Unless suspended or revoked by the board, or surrendered by the educator, a level  
154 1, level 2, level 3, or competency-based license shall remain valid if:

155 (a) the license holder is employed by a school district that has a comprehensive  
156 program to maintain and improve educators' skills in which performance standards, educator  
157 evaluation, and professional development are integrated; and

158 (b) the license holder complies with school or school district professional development  
159 requirements.

160 Section 3. Section **53A-6-107** is repealed and reenacted to read:

161 **53A-6-107. Eligible preparation programs and alternative preparation programs.**

162 (1) An educational personnel preparation program is an eligible preparation program if  
163 the program:

164 (a) is accredited by the Council for the Accreditation of Educator Preparation;

165 (b) is offered in:

166 (i) Utah; or

167 (ii) a state that is a party to a contract with Utah under the NASDTEC Interstate

168 Contract; and

169 (c) at the time an applicant completes the program:

170 (i) satisfied requirements for educational personnel licensure in the state where the  
171 program is located;

172 (ii) required completion of a bachelor's degree; and

173 (iii) included a supervised field experience.

174 (2) (a) The board may not require that a higher education or postsecondary institution  
175 become board approved or board accredited for the institution to offer an eligible preparation

176 program.

177 (b) The board may verify that a program meets the requirements described in

178 Subsection (1).

179 (3) The board shall make rules to establish standards for an alternative preparation  
180 program that meet or exceed generally recognized national standards for preparation of  
181 educators, such as those developed by:

182 (a) the Interstate New Teacher Assessment and Support Consortium;

183           (b) the National Board for Professional Teaching Standards; and

184           (c) the Council for the Accreditation of Educator Preparation.

185           Section 4. **Repealer.**

186           This bill repeals:

187           Section **53A-6-108, Prohibition on use of degrees or credit from unapproved**

188 **institutions.**

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**Legislative Review Note**

as of 2-5-15 9:49 AM

**Office of Legislative Research and General Counsel**