

Senator Ann Millner proposes the following substitute bill:

TEACHER PEDAGOGICAL ASSESSMENT

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: Val L. Peterson

LONG TITLE

General Description:

This bill enacts provisions related to a teacher pedagogical assessment.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the State Board of Education to:
 - establish a teacher pedagogical assessment that is performance based and assesses an individual's pedagogical skills;
 - require an individual to pass a teacher pedagogical assessment to receive or retain a certain license to teach;
 - administer a baseline-year program to implement the use of a teacher pedagogical assessment; and
 - make rules related to a teacher pedagogical assessment; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **53A-6-103**, as last amended by Laws of Utah 2016, Chapter 144

29 **53A-6-104**, as last amended by Laws of Utah 2003, Chapter 315

30 ENACTS:

31 **53A-6-117**, Utah Code Annotated 1953



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

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

35 **53A-6-103. Definitions.**

36 As used in this chapter:

37 (1) "Accredited institution" means an institution meeting the requirements of Section

38 **53A-6-107**.

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

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

43 (3) "Ancillary requirement" means a requirement established by law or rule in addition
44 to completion of an approved preparation program or alternative education program or
45 establishment of eligibility under the NASDTEC Interstate Contract, and may include any of
46 the following:

47 (a) minimum grade point average;

48 (b) standardized testing or assessment;

49 (c) mentoring;

50 (d) recency of professional preparation or experience;

51 (e) graduation from an accredited institution; or

52 (f) evidence relating to moral, ethical, physical, or mental fitness.

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

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

59 ~~[(b)]~~ (ii) satisfied requirements for licensure in the state in which the program was
60 provided;

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

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

63 (b) "Approved preparation program" includes a competency-based teacher preparation
64 program from a regionally accredited university.

65 (5) "Board" means the State Board of Education.

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

68 (7) "Core academic subjects" means English, reading or language arts, mathematics,
69 science, foreign languages, civics and government, economics, arts, history, and geography.

70 (8) "Educator" means:

71 (a) ~~[a person]~~ an individual who holds a license;

72 (b) a teacher, counselor, administrator, librarian, or other ~~[person]~~ individual required,
73 under rules of the board, to hold a license; or

74 (c) ~~[a person]~~ an individual who is the subject of an allegation ~~[which]~~ that has been
75 received by the board or UPPAC and was, at the time noted in the allegation, a license holder
76 or ~~[a person]~~ an individual employed in a position requiring licensure.

77 (9) (a) "Endorsement" means a stipulation appended to a license setting forth the area
78 or areas of practice to which the license applies.

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

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

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

85 (i) a temporary license issued to ~~[a person]~~ an individual who has not completed
86 requirements for a competency-based~~[-]~~ or level 1, 2, or 3 license, ~~[such as]~~ including:

87 (A) a student teacher; or

- 88 (B) ~~[a person]~~ an individual participating in an alternative preparation program; or
- 89 (ii) a license issued, pursuant to board rules, to ~~[a person]~~ an individual who has
- 90 achieved eminence, or has outstanding qualifications, in a field taught in public schools;
- 91 (b) "competency-based license₂" which is issued to a teacher based on the teacher's
- 92 demonstrated teaching skills and abilities;
- 93 (c) "level 1 license," which is a license issued upon completion of:
- 94 ~~[(i) a competency-based teacher preparation program from a regionally accredited~~
- 95 ~~university; or (ii) an approved preparation program or an alternative preparation program, or~~
- 96 ~~pursuant to an agreement under the NASDTEC Interstate Contract, to candidates who have~~
- 97 ~~also met all ancillary requirements established by law or rule;]~~
- 98 (i) (A) an approved preparation program;
- 99 (B) for an individual who applies for a level 1 license to teach on or after September
- 100 30, 2019, a pedagogical assessment described in Section [53A-6-117](#) with a passing score as
- 101 determined by the board; and
- 102 (C) all applicable ancillary requirements;
- 103 (ii) (A) an alternative preparation program; and
- 104 (B) all applicable ancillary requirements; or
- 105 (iii) (A) requirements pursuant to an agreement under the NASDTEC Interstate
- 106 Contract; and
- 107 (B) all applicable ancillary requirements;
- 108 (d) "level 2 license," which is a license issued after satisfaction of all requirements for
- 109 a level 1 license as well as any additional requirements established by law or rule relating to
- 110 professional preparation or experience; and
- 111 (e) "level 3 license," which is a license issued to an educator who holds a current Utah
- 112 level 2 license and has ~~[also]~~ received, in the educator's field of practice, National Board
- 113 certification or a doctorate from an accredited institution.
- 114 (11) "NASDTEC" means the National Association of State Directors of Teacher
- 115 Education and Certification.
- 116 (12) "NASDTEC Interstate Contract" means the contract implementing Title 53A,
- 117 Chapter 6, Part 2, Compact for Interstate Qualification of Educational Personnel, which is
- 118 administered through NASDTEC.

119 (13) "National Board certification" means a current certificate issued by the National
120 Board for Professional Teaching Standards.

121 (14) "Necessarily existent small school" means a school classified as a necessarily
122 existent small school in accordance with Section 53A-17a-109.

123 (15) "Rule" means an administrative rule adopted by the board under Title 63G,
124 Chapter 3, Utah Administrative Rulemaking Act.

125 (16) "School" means a public or private entity [~~which~~] that provides educational
126 services to a minor child.

127 (17) "Small school district" means a school district with an enrollment of less than
128 5,000 students.

129 (18) "UPPAC" means the Utah Professional Practices Advisory Commission.

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

131 **53A-6-104. Board licensure.**

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

133 (b) [~~A person~~] An individual employed in a position that requires licensure by the
134 board shall hold the appropriate license.

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

137 (b) (i) The board shall make rules requiring participation in professional development
138 activities or compliance with a school district professional development plan as provided in
139 Subsection (4) in order for educators to retain their licenses.

140 (ii) An educator who is enrolling in a course of study at an institution within the state
141 system of higher education to satisfy the professional development requirements of Subsection
142 (2)(b)(i) is exempt from tuition, except for a semester registration fee established by the State
143 Board of Regents, if:

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

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

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

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

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

155 (c) except as provided in Section 53A-6-117, a level 1 license is valid for three years,
156 subject to renewal by the board in accordance with board rules;

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

159 (e) a level 3 license is valid for seven years, subject to renewal by the board in
160 accordance with board rules.

161 (4) [~~Unless~~] Except as provided in Section 53A-6-117, unless suspended or revoked by
162 the board, or surrendered by the educator, a level 1, level 2, level 3, or competency-based
163 license shall remain valid if:

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

167 (b) the license holder complies with school or school district professional development
168 requirements.

169 Section 3. Section 53A-6-117 is enacted to read:

170 **53A-6-117. Teacher pedagogical assessment.**

171 (1) As used in this section, "pedagogical assessment" means the teacher pedagogical
172 assessment described in Subsection (2).

173 (2) (a) On or before September 30, 2017, in accordance with Subsection (7), the board
174 shall establish a teacher pedagogical assessment that is performance based and assesses an
175 individual's pedagogical skills.

176 (b) The board shall ensure that the pedagogical assessment described in Subsection
177 (2)(a) evaluates:

178 (i) competence in effective teaching standards as determined by the board; and

179 (ii) performance of tasks that demonstrate skills including:

180 (A) designing and implementing instruction to promote student learning;

181 (B) effectively interacting with students; and

182 (C) using student assessments to measure student learning and inform classroom
183 instruction.

184 (3) Beginning on September 30, 2019, except as provided in Subsection (4), the board
185 shall require an individual to pass the pedagogical assessment:

186 (a) to receive a level 1 license to teach, if the individual prepares for teacher licensure
187 through an approved preparation program; or

188 (b) to retain, for a third year, a level 1 license to teach, if the individual prepares for
189 teacher licensure in a way other than through an approved preparation program and receives the
190 license on or after September 30, 2018.

191 (4) In lieu of the pedagogical assessment required under Subsection (3), the board may
192 accept an assessment completed in a state other than Utah that:

193 (a) an individual applying for a level 1 license to teach passes;

194 (b) satisfies requirements for licensure in the state in which the assessment was
195 provided; and

196 (c) satisfies the requirements of the pedagogical assessment as determined by the
197 board.

198 (5) During the 2018-2019 school year, the board shall administer a baseline-year
199 program that:

200 (a) implements the use of the pedagogical assessment;

201 (b) includes participation from:

202 (i) individuals preparing for teacher licensure through an approved preparation
203 program; and

204 (ii) individuals preparing for teacher licensure in a way other than through an approved
205 preparation program; and

206 (c) does not require an individual to pass the pedagogical assessment to receive a
207 license.

208 (6) On or before September 30, 2019, in accordance with Subsection (7), the board
209 shall make rules that establish minimum standards for an individual to pass the pedagogical
210 assessment.

211 (7) Before establishing a teacher pedagogical assessment described in Subsection (2) or

212 making rules described in Subsection (6), the board shall solicit and consider input from:

213 (a) the State Charter School Board created in Section [53A-1a-501.5](#);

214 (b) local school boards;

215 (c) charter school governing boards;

216 (d) school district and charter school employees, including teachers and administrators;

217 and

218 (e) representatives from the state system of higher education described in Section

219 [53B-1-102](#).

220 Section 4. **Effective date.**

221 If approved by two-thirds of all the members elected to each house, this bill takes effect

222 upon approval by the governor, or the day following the constitutional time limit of Utah

223 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,

224 the date of veto override.