

SB0078S01 compared with SB0078

~~{deleted text}~~ shows text that was in SB0078 but was deleted in SB0078S01.

Inserted text shows text that was not in SB0078 but was inserted into SB0078S01.

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Senator Ann Millner proposes the following substitute bill:

TEACHER PEDAGOGICAL ASSESSMENT

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: _____

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

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- 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.

Utah Code Sections Affected:

AMENDS:

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

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

ENACTS:

53A-6-117, 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) (a) "Alternative preparation program" means preparation for licensure in accordance with applicable law and rule through other than an approved preparation program.

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

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

- (a) minimum grade point average;
- (b) standardized testing or assessment;
- (c) mentoring;
- (d) recency of professional preparation or experience;

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(e) graduation from an accredited institution; or

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

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

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

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

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

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

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

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

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

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

(8) "Educator" means:

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

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

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

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

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

(10) "License" means an authorization issued by the board ~~[which]~~ that permits the

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holder to serve in a professional capacity in [~~the public schools;~~] a public school. The five levels of licensure are:

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

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

(A) a student teacher; or

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

(ii) a license issued, pursuant to board rules, to [~~a person~~] an individual who has achieved eminence, or has outstanding qualifications, in a field taught in public schools;

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

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

~~[(i) a competency-based teacher preparation program from a regionally accredited university; or (ii) an approved preparation program or an alternative preparation program, or pursuant to an agreement under the NASDTEC Interstate Contract, to candidates who have also met all ancillary requirements established by law or rule;]~~

(i) (A) an approved preparation program;

(B) for an individual who applies for a level 1 license to teach on or after September 30, 2019, a pedagogical assessment described in Section 53A-6-117 with a passing score as determined by the board; and

(C) all applicable ancillary requirements;

(ii) (A) an alternative preparation program; and

(B) all applicable ancillary requirements; or

(iii) (A) requirements pursuant to an agreement under the NASDTEC Interstate Contract; and

(B) all applicable ancillary requirements;

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

(e) "level 3 license," which is a license issued to an educator who holds a current Utah level 2 license and has [~~also~~] received, in the educator's field of practice, National Board

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certification or a doctorate from an accredited institution.

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

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

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

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

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

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

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

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

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

53A-6-104. Board licensure.

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

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

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

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

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

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

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

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

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

(b) a competency-based license remains valid;

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

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

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

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

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

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

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

53A-6-117. Teacher pedagogical assessment.

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

(2) (a) On or before September 30, 2017, **in accordance with Subsection (7)**, the board shall establish a teacher pedagogical assessment that is performance based and assesses an

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individual's pedagogical skills.

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

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

(ii) performance of tasks that demonstrate skills including:

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

(B) effectively interacting with students; and

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

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

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

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

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

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

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

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

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

(a) implements the use of the pedagogical assessment;

(b) includes participation from:

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

(ii) individuals preparing for teacher licensure in a way other than through an approved

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preparation program; and

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

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

(7) Before establishing a teacher pedagogical assessment described in Subsection (2) or making rules described in Subsection (6), the board shall solicit and consider input from:

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

(b) local school boards;

(c) charter school governing boards;

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

and

(e) representatives from the state system of higher education described in Section 53B-1-102.

Section 4. **Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

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Legislative Review Note

Office of Legislative Research and General Counsel†