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**TEACHER LICENSURE AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jefferson Moss**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill addresses changes in teacher licensure requirements.

**Highlighted Provisions:**

This bill:

- ▶ modifies legislative findings on teacher competency;
- ▶ modifies rulemaking authority for the state board;
- ▶ limits the delegation of authority regarding preparation programs; and
- ▶ clarifies roles for local education agencies.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53E-6-103**, as last amended by Laws of Utah 2019, Chapter 186

**53E-6-301**, as last amended by Laws of Utah 2022, Chapter 285

**53E-6-302**, as last amended by Laws of Utah 2022, Chapter 285

**53E-6-902**, as last amended by Laws of Utah 2020, Chapter 408

**53G-11-509**, as last amended by Laws of Utah 2019, Chapter 293



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

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

30 **53E-6-103. Legislative findings on teacher quality -- Declaration of education as a**  
31 **profession.**

32 (1) (a) The Legislature acknowledges that education is perhaps the most important  
33 function of state and local governments, recognizing that the future success of our state and  
34 nation depend in large part upon the existence of a responsible and educated citizenry.

35 (b) The Legislature further acknowledges that the primary responsibility for the  
36 education of children within the state resides with their parents and that the role of state and  
37 local governments is to support and assist parents in fulfilling that responsibility.

38 (2) (a) The Legislature finds that:

39 (i) quality teaching is the basic building block of successful schools and, outside of  
40 home and family circumstances, the essential component of student achievement;

41 (ii) the high quality of teachers is absolutely essential to enhance student achievement  
42 and to assure educational excellence in each classroom in the state's public schools; and

43 (iii) the implementation of a comprehensive continuum of data-driven strategies  
44 regarding recruitment, preservice, licensure, induction, professional development, and  
45 evaluation is essential if the state and its citizens expect every classroom to be staffed by a  
46 skilled, caring, and effective teacher.

47 (b) In providing for the safe and effective performance of the function of educating  
48 Utah's children, the Legislature further finds it to be of critical importance that education,  
49 including instruction, administrative, and supervisory services, be recognized as a profession,  
50 and that those who are licensed or seek to become licensed and to serve as educators:

51 (i) meet high standards both as to qualifications and fitness for service as educators  
52 through quality recruitment and preservice programs [~~before assuming their responsibilities in~~  
53 ~~the schools~~] designed to provide opportunities to demonstrate competency in a school  
54 classroom setting;

55 (ii) maintain those standards in the performance of their duties while holding licenses,  
56 in large part through participating in induction and ongoing professional development  
57 programs focused on instructional improvement;

58 (iii) receive fair, systematic evaluations of their performance at school for the purpose

59 of enhancing the quality of public education and student achievement; and

60 (iv) have access to a process for fair examination and review of allegations made  
61 against them and for the administration of appropriate sanctions against those found, in  
62 accordance with due process, to have failed to conduct themselves in a manner commensurate  
63 with their authority and responsibility to provide appropriate professional services to the  
64 children of the state.

65 Section 2. Section **53E-6-301** is amended to read:

66 **53E-6-301. Qualifications of applicants for licenses -- Changes in qualifications.**

67 (1) As used in this section:

68 (a) "Literacy preparation assessment" means an examination that evaluates an  
69 individual's knowledge of the science of reading, related to literacy instruction for an individual  
70 who teaches preschool, elementary school, or special education.

71 (b) "Required literacy preparation assessment" means a literacy preparation assessment  
72 that the state board uses to determine the qualifications of license applicants.

73 (2) The state board shall establish by rule made in accordance with Title 63G, Chapter  
74 3, Utah Administrative Rulemaking Act[;]:

75 (a) the scholarship, competencies, training, and experience required of license  
76 applicants[;]; and

77 (b) the criteria and training for an individual who certifies a licensure candidate's  
78 demonstration of competencies.

79 (3) (a) The state board shall announce any increase in the requirements when made.

80 (b) An increase in requirements shall become effective not less than one year from the  
81 date of the announcement.

82 (4) The state board may determine by examination or otherwise the qualifications of  
83 license applicants.

84 (5) If the state board uses a required literacy preparation assessment under Subsection  
85 (4):

86 (a) (i) the state board shall make rules to allow an LEA to hire a license applicant who  
87 does not successfully pass the required literacy preparation assessment for a limited duration  
88 pending successful passage; and

89 (ii) the license applicant is not eligible for a professional educator license described in

90 Section 53E-6-201 until the license applicant successfully passes the required literacy  
91 preparation assessment; and

92 (b) the state board may make rules in accordance with Title 63G, Chapter 3, Utah  
93 Administrative Rulemaking Act, to:

94 (i) establish exemptions for the required literacy preparation assessment; and

95 (ii) develop a pathway to demonstrate early literacy competency as an exception to the  
96 requirement to pass the required literacy preparation assessment.

97 Section 3. Section 53E-6-302 is amended to read:

98 **53E-6-302. Educator preparation programs.**

99 (1) As used in this section:

100 (a) "Educator preparation program" means:

101 (i) a university teacher education program; or

102 (ii) a program that prepares individuals using an alternative pathway to licensure, as the  
103 state board provides, that does not include content or time requirements that conflict with the  
104 content or time requirements described in rule made by the state board in accordance with  
105 Subsection (2).

106 (b) "Required literacy preparation assessment" means the same as that term is defined  
107 in Section 53E-6-301.

108 (c) "University teacher preparation program" means a program that an institution of  
109 higher education offers to prepare educators for licensure.

110 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
111 state board shall make rules that establish standards for approval of an educator preparation  
112 program.

113 (3) The state board shall ensure that standards adopted under Subsection (2):

114 (a) meet or exceed generally recognized national standards for preparation of  
115 educators; and

116 (b) include requirements for educator preparation programs to:

117 (i) provide instruction in the science of reading; and

118 (ii) prepare license applicants to pass the required literacy preparation assessment at no  
119 cost to the applicants for the preparation, including providing ongoing preparation for up to  
120 three total attempts of the required literacy preparation assessment.

- 121 (4) The state board shall designate an employee of the state board's staff to:
- 122 (a) work with education deans of state institutions of higher education to coordinate
- 123 university teacher preparation programs that may include:
- 124 (i) monitoring courses for university teacher preparation programs; and
- 125 (ii) working with course instructors for university teacher preparation programs;
- 126 (b) act as a liaison between:
- 127 (i) the state board;
- 128 (ii) local school boards or charter school governing boards; and
- 129 (iii) representatives of university teacher preparation programs; and
- 130 (c) report the employee's findings and recommendations for the improvement of
- 131 teacher preparation programs to:
- 132 (i) the state board; and
- 133 (ii) education deans of state institutions of higher education.
- 134 (5) The state board shall:
- 135 (a) in good faith, consider the findings and recommendations described in Subsection
- 136 (4)(c); and
- 137 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 138 make rules, as the state board determines is necessary, to implement recommendations
- 139 described in Subsection (4)(c).
- 140 (6) Subject to legislative appropriations, the Utah Board of Higher Education shall:
- 141 (a) provide matching funds to each of the state's institutions of higher education with a
- 142 university teacher preparation program:
- 143 (i) to hire an additional faculty member who has training in the science of reading and
- 144 the science of reading instruction; and
- 145 (ii) in an amount equal to 75% of the cost of making the hire described in Subsection
- 146 (6)(a) if the institution provides 25% of the cost; and
- 147 (b) consult the state superintendent regarding:
- 148 (i) criteria for the hire described in Subsection (6)(a) that would qualify for a
- 149 distribution of funding; and
- 150 (ii) an individual institution's fulfillment of the criteria described in Subsection
- 151 (6)(b)(i) before distributing funding.

152 (7) An institution that hires an additional faculty member shall coordinate with the  
153 science of reading panel described in Section 53E-3-1003 to include two members of the panel  
154 in the institution's hiring process.

155 (8) The state board shall:

156 (a) monitor accreditation of university programs regarding the science of reading  
157 preparation described in Subsection (3)(b) at the institutions described in Subsection (6)(a); and

158 (b) (i) develop strategies to provide support for preparation programs with low rates of  
159 passage on the required literacy preparation assessment; and

160 (ii) provide increasing levels of support to a preparation program with low rates of  
161 passage on the required literacy preparation assessment for two consecutive years.

162 Section 4. Section 53E-6-902 is amended to read:

163 **53E-6-902. Teacher leaders.**

164 (1) As used in this section, "teacher" means an educator who has an assignment to  
165 teach in a classroom.

166 (2) There is created the role of a teacher leader to:

167 (a) work with a student teacher and a teacher who supervises a student teacher;

168 (b) assist with the training of a recently hired teacher; [~~and~~]

169 (c) support school-based professional learning[~~;~~]; and

170 (d) certify the demonstration of competencies for an applicant seeking licensure  
171 through a preparation program.

172 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
173 state board shall make rules that:

174 (a) define the role of a teacher leader, including the functions described in Subsection  
175 (2); and

176 (b) establish the minimum criteria for a teacher to qualify as a teacher leader.

177 (4) The state board shall solicit recommendations from school districts and educators  
178 regarding:

179 (a) appropriate resources to provide a teacher leader; and

180 (b) appropriate ways to compensate a teacher leader.

181 Section 5. Section 53G-11-509 is amended to read:

182 **53G-11-509. Mentor for provisional educator.**

183 (1) In accordance with [~~Subsections~~] Section 53E-6-902, Subsection 53E-2-302(7), and  
184 Subsections 53E-6-103(2)(a) and (b), the principal or immediate supervisor of a provisional  
185 educator shall assign a person who has received training or will receive training in mentoring  
186 educators as a mentor to the provisional educator.

187 (2) Where possible, the mentor shall be a career educator who performs substantially  
188 the same duties as the provisional educator and has at least three years of educational  
189 experience.

190 (3) The mentor shall assist the provisional educator to become effective and competent  
191 in the teaching profession and school system, but may not serve as an evaluator of the  
192 provisional educator.

193 (4) An educator who is assigned as a mentor may receive compensation for those  
194 services in addition to the educator's regular salary.