

R277-106 received final approval by the Utah State Board of Education on September 6, 2018. R277-106 is published in the October 1, 2018 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of November 7, 2018.

R277. Education, Administration.

R277-106. Utah Professional Practices Advisory Commission Appointment Process.

R277-106-1. Authority and Purpose.

- (1) This rule is authorized by:
 - (a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;
 - (b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and
 - (c) Subsection 53E-6-503(1)(a), which directs the Board to adopt rules establishing procedures for nominating and appointing UPPAC members.
- (2) The purpose of this rule is to establish nomination and appointment procedures for UPPAC members.

R277-106-2. Definitions.

- (1) "Nomination application" means a form prepared by the Superintendent as described in Subsection R277-106-3(2).
- (2) "Utah Professional Practices Advisory Commission" or "UPPAC" means an advisory commission established under Section 53E-6-501 to assist and advise the Board in matters relating to the professional practices of educators.

R277-106-3. UPPAC [~~Notification,~~] Nomination and Application Process.

- (1) The UPPAC Executive Secretary shall notify school districts, charter schools, and education organizations in writing of openings on UPPAC for the upcoming term by May 1.
- (2) The Superintendent shall develop a nomination application through which an applicant expresses interest in serving on UPPAC, which outlines the expectations and time commitment required of a UPPAC member.
- (3) A nomination application must be signed by:
 - (a) the applicant;
 - (b) in the case of a licensed educator whose primary assignment is teaching or school level, the applicant's principal and superintendent or charter school director;
 - (c) in the case of a licensed educator whose assignment is as a principal or at the district level, the applicant's superintendent;
 - (d) in the case of a licensed educator whose assignment is as a district superintendent or charter school director, the applicant's local board or charter school governing board chair; and
 - (e) in the case of an education organization representative, an officer of the education organization as provided in Subsection 53E-6-502(1).
- (4) An educator shall submit a statement of interest and resume or vita along with the nomination application.

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(5) An applicant who is interested in serving on UPPAC shall submit a nomination application to the Superintendent by May 31.

R277-106-4. UPPAC Selection Process.

(1) The UPPAC Executive Secretary shall review all complete and properly filed applications and may make recommendations to the Superintendent [~~and Board~~] prior to June 1.

(2) Prior to making the recommendations described in Subsection (1), the Executive Secretary may seek additional information to provide to the Superintendent [~~and Board~~] about the experience and qualification of UPPAC applicants.

(3) Prior to making the recommendations described in Subsection (1), the Executive Secretary shall consider demographic diversity, including:

- (i) rural and urban representation;
- (ii) geographical balance;
- (iii) elementary and secondary representation;
- (iv) gender diversity;
- (v) ethnic diversity;
- (vi) specialized knowledge of an applicant; and
- (vii) representation of LEA superintendents, principals, or charter school administrators.

~~[(4) In addition to receiving recommendations from the UPPAC Executive Secretary, as described in Subsection (1), the Superintendent shall solicit recommendations from the Board prior to making UPPAC appointments consistent with Section 53E-6-503.]~~

~~[(5)]~~ If a current UPPAC member desires to serve a second term, the member shall indicate the desire to serve an additional term in writing to the Superintendent prior to May 1 of the year in which the member's term expires.

~~[(6)]~~ The application of a UPPAC member seeking reappointment shall be considered for recommendation at the same time that new appointments are considered.

~~[(7)]~~ The Executive Secretary may retain nomination applications for consideration in the event of mid-term vacancies or for vacancies in subsequent years.

R277-106-5. Education Organization Member Appointments.

(1) The state organization or a local chapter of the education organization with the largest membership of parents of students and teachers in the state may nominate community members to serve on UPPAC.

(2) Community members may submit their names to the education organization described in Subsection 53E-6-502(1) for nomination by the organization.

(3) The two education organization members may not serve concurrent terms.

R277-106-6. Filling of Vacancies.

(1) The UPPAC Executive Secretary shall recommend names to the

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Superintendent [~~and Board~~] to fill UPPAC vacancies that occur midyear.

(2) The UPPAC Executive Secretary may recommend names of previous applicants for UPPAC vacancies or names from school districts or charter schools or other groups or areas of the state that are under represented for midyear vacancies.

KEY: professional competency, professional practices

Date of Enactment or Last Substantive Amendment: February 7, 2017

Notice of Continuation: December 14, 2016

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-6-503(1)(a); 53E-3-401(4)