

R277-302 received final approval by the Utah State Board of Education on September 3, 2020. R277-302 will be published in the October 1, 2020 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of November 9, 2020.

R277. Education, Administration.

R277-302. Educator Licensing Renewal.

R277-302-1. 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) Section 53E-6-201, which gives the Board power to issue licenses.

(2) The purpose of this rule is to ensure that licensed educators maintain and enhance their education-related skills and knowledge throughout the duration of the license.

R277-302-2. Definitions.

(1) "Alternate professional learning activities" means activities that enhance or improve the education-related skills and knowledge of an educator serving in school, but not in a role as a primary educator, including:

(a) work as a paraprofessional;

(b) substitute teaching in a public school;

(c) volunteering in a public school;

(d) travel with an educational purpose or component;

(e) presenting at professional conferences, including the time to design or prepare the presentation;

(f) educational research;

(g) work as a department chair in a public school.

(2) "Conflict of interest" means a business, family, monetary, or relationship concern that may cause a reasonable educator to be unduly influenced or that creates the appearance of undue influence.

(3) "Educator" has the same meaning as defined in Section 53E-6-102.

(4) "Educator collaboration opportunities" mean opportunities in which educators engage in data analysis in collaboration with colleagues to inform instructional adjustments and student need, including through professional learning communities.

(5) "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the Blind.

(6) "Licensed administrator" means:

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(a) an individual holding a current Utah educator license with a school leadership license area of concentration;

(b) an individual, familiar with the requirements of this rule, holding an equivalent license in another jurisdiction; or

(c) an individual currently employed in an administrative position in a Utah charter school or accredited private school.

(7)(a) “Professional education entity” means a public or private organization engaged in services related, in whole or in part, to promoting education.

(b) “Professional education entity” includes:

(i) an LEA;

(ii) the Board, including its staff;

(iii) another elected or appointed government body responsible for education policy;

(iv) a regional service center;

(v) a union or association of professional educators;

(vi) an association whose members are comprised of Utah LEAs or schools;

(vii) an accredited p-12 private institution; and

(viii) a regionally accredited college or university.

(8) “Professional learning experiences” means learning experiences in:

(a) curriculum development;

(b) school improvement;

(c) mentoring and training new teachers; and

(d) instructional coaching.

(9) “Professional service” means service in a local, state, or national government or professional education association leadership role.

R277-302-3. Educator License Renewal Requirements.

(1) An individual that holds a current Utah educator license may apply to the Superintendent for renewal of the license after meeting all requirements detailed in this rule between January 1 and June 30 of the year in which the educator’s license expires.

(2) An individual that holds an expired associate or professional Utah educator license may apply to the Superintendent for renewal of the license after meeting all requirements detailed in this rule.

(3) A Utah educator license holder shall accrue 100 license renewal points prior to license renewal, beginning with the date of each new renewal.

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(4) Prior to applying for renewal, an individual that holds a professional Utah educator license shall:

(a) complete license renewal points as detailed in Section R277-302-7 during the five years prior to the date of renewal;

(b) complete the USBE educator ethics review during the year prior to the date of renewal; and

(c) maintain ongoing background monitoring in accordance with Section 53G-11-403.

(5) Prior to applying for renewal, an individual that holds an associate Utah educator license shall:

(a) have less than ~~two~~ three years of experience in an educator position related to the area of licensure in a public or accredited private school in Utah;

(b) meet the current content knowledge requirements for an associate educator license related to the educator's area of licensure detailed in Section R277-301-4;

(c) redo the professional learning modules required for an associate educator license detailed in Section R277-301-4 during the six months prior to the date of renewal;

(d) complete the USBE educator ethics review during the year prior to the date of renewal; and

(e) maintain ongoing background monitoring in accordance with Section 53E-6-401.

~~[(6) An individual that holds an expired professional Utah educator license and that has not been employed by a Utah LEA for at least one school year may apply for renewal under the Returning Educator Relicensure program described in Section R277-302-8.]~~

R277-302-4. Superintendent Responsibilities.

(1) The Superintendent shall establish application procedures for Utah educator license renewal that:

(a) include simplified procedures for an educator that:

(i) is currently employed in an educator position by a professional education entity;

(ii) has been employed in an educator position by a professional education entity in each of the years covered by the individual's Utah educator license; and

(iii) has participated in professional learning activities as required by Subsection R277-302-6(1);

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(b) require verification of the educator's completed license renewal points by the signature of a current licensed administrator without a conflict of interest with the educator; and

(c) is completed through an automated, online platform, to the extent reasonably possible given existing technology and resources.

(2) The Superintendent shall monitor a random sample of approximately ten percent of annual renewals that utilize automated or online procedures.

(3) The Superintendent shall provide guidance to educators to the extent that funding allows that:

(a) promotes participation in activities that are not cost intensive;

(b) encourages licensed administrators to consider a broad variety of activities under Subsection R277-302-7(4)(d); and

(c) supports educators in learning how and where to earn points without directly referring educators to paid services.

(4)(a) The Superintendent may monitor review any renewal transaction for accuracy and compliance with this rule.

(b) The Superintendent may void a license transaction that was completed on the basis of inaccurate information at any time with notice to the license holder.

(5) If the Superintendent identifies evidence of intentional misconduct under Rule R277-217 during monitoring in accordance with this Section R277-302-4, the Superintendent shall report the allegations to UPPAC.

(6) The Superintendent shall provide a model policy to facilitate the resolution of a conflict between a licensed educator and a licensed administrator that arises based on the requirement detailed in Subsection R277-302-4(1)(b), which may include a provision for review of the issues by the Superintendent.

R277-302-5. Educator Responsibilities.

(1) An educator is responsible for acquiring and retaining documentation and signatures related to the completion of professional learning activities used to meet the requirements of this rule.

(2) An educator shall finalize all renewal documentation during the six months prior to the date of renewal.

(3) An educator shall retain all documentation related to a renewal application under this rule for no less than two years from the date of renewal.

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(4) If an educator's renewal application is identified for monitoring in accordance with Subsections R277-302-4(2) and (3), the educator shall submit any requested documentation to the Superintendent in a timely manner.

R277-302-6. LEA Responsibilities.

(1) An LEA that employs an individual holding a professional Utah educator license shall provide opportunities for the individual to complete a minimum of the equivalent of twenty license renewal points as defined in Section R277-302-7 of professional learning activities to all such license holders annually, which shall include trainings required by state law or Board rule.

(2) An LEA shall maintain or provide to the educator documentation of professional learning activities under Subsection (1).

(3) If an individual that holds a professional Utah educator license does not participate in the activities provided under Subsection (1), the educator's LEA shall notify the educator and the Superintendent that the educator is not eligible to utilize the simplified procedures described in Subsection R277-302-4(1)(a).

R277-302-7. Professional Renewal Activities.

(1) An educator with a current assignment in a Utah LEA shall earn points in at least two of the areas identified in this Section R277-302-7, subject to the maximum renewal points in Subsections (4).

(2) An educator without a current assignment in a Utah LEA shall earn points in any area identified in this Section R277-302-7 with no maximum renewal points in any given area.

(3) Notwithstanding Subsections (1) and (2):

(a) an educator may receive 100 points towards renewal for earning national board certification, with no further renewal points required;

(b) an educator may receive 20 points per national board certification component completed during any given renewal cycle; or

(c) an educator who held a Level 3 license prior to July 1, 2020, may receive 25 renewal points in recognition of the Level 3 requirements in the educator's first renewal after July 1, 2020.

(4) An educator may earn points in the following areas:

(a) Professional learning experiences, up to a maximum of 90 points, as follows:

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(i) one renewal point for each clock hour of scheduled professional learning activities sponsored or approved by a professional education entity in the following areas:

- (A) university coursework;
- (B) USBE professional learning;
- (C) curriculum development;
- (D) school improvement;
- (E) mentoring and training of new teachers;

(F) training and support designed specifically for new teachers or teachers identified as ineffective on the teacher's annual evaluation;

(G) instructional coaching; or

(H) conferences, workshops, institutes, trainings, symposia, or staff-development programs; or

(ii) ten renewal points per year for a teacher evaluation deemed highly effective;

(b) Educator collaboration opportunities, with one renewal point for each clock hour up to a maximum of 30 points;

(c) Professional service, with one renewal point for each clock hour up to a maximum of 50 points; and

(d) Alternate learning opportunities, with one renewal point for each clock hour up to a maximum of 30 points.

~~[R277-302-8. Returning Educator Relicensure Program.~~

~~_____ (1) An individual utilizing the Returning Educator Relicensure program shall:~~

~~_____ (a) hold a position in a Utah LEA requiring an educator license;~~

~~_____ (b) obtain a new background check and enroll in on-going monitoring as required by Section 53E-6-401;~~

~~_____ (c) resolve any background check issues that may arise in accordance with Rule R277-214;~~

~~_____ (d) complete a one-school-year professional learning plan developed jointly by the educator's direct administrative supervisor and the returning educator consistent with Section R277-302-7 taking into account the following:~~

~~_____ (i) previous successfully education experience;~~

~~_____ (ii) formal educational preparation;~~

~~_____ (iii) period of time between last education experience and the present;~~

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- ~~—— (iv) school goals for student achievement and with the employing school and the educator's role in accomplishing those goals;~~
- ~~—— (v) the returning educator's professional abilities, as determined by a formal discussion and observation process completed within the first 30 days of employment; and~~
- ~~—— (vi) completion of additional necessary professional development for the educator;~~
- ~~—— (e) submit a copy of the professional learning plan described in Subsection (d) to the Superintendent; and~~
- ~~—— (f) submit documentation upon completion of the educator's professional learning plan to the Superintendent.~~
- ~~—— (2) The Superintendent shall establish procedures for the Returning Educator Relicensure program, including:~~
 - ~~—— (a) renewal of the educator's professional educator license for one school year;~~
 - ~~—— (b) submission of the professional learning plan as required by Subsection (1)(e) within 60 days of the educator's starting employment date; and~~
 - ~~—— (c) submission of documentation required by Subsection (1)(f) prior to the completion of the school year.~~
- ~~—— (3) A professional learning plan under this Section:~~
 - ~~—— (a) may include activities provided by the LEA under Section R277-302-6; and~~
 - ~~—— (b) shall include additional activities focusing on the unique needs of the educator.]~~

R277-302-[9]8. Licensing Renewal Point Options for Grandfathered Licenses.

(1) Notwithstanding Subsection R277-302-3(4)(a), an educator whose professional Utah educator license has an expiration date prior June 30, 2025 may earn license renewal points in accordance with this Section R277-302-[9]8 on the educator's first subsequent renewal, in addition to the options described in Section R277-302-7 if the educator does not meet the renewal requirements detailed in this rule.

(2) If an educator chooses to earn license renewal points under this Section R277-302-[9]8:

(a) an educator who held a level two or three license prior to June 30, 2020, shall accrue 200 points in the five years prior to applying for renewal; and

(b) an educator who held a level one license prior to June 30, 2020 shall accrue 100 points in the three years prior to applying for renewal.

(3) An educator may earn license renewal points for employment in a position requiring a Utah educator license, as follows:

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(a) An educator may earn 35 license renewal points per year of employment, up to a maximum of 105 points per license cycle; and

(b) An educator may only count years of employment with satisfactory performance evaluations for license renewal points.

(4) An educator may earn license renewal points for content and pedagogy testing, as follows:

(a) A qualifying test must be approved by the Superintendent;

(b) For each qualifying test submitted with a passing score, the educator qualifies for 25 license renewal points; and

(c) An educator may submit no more than two qualifying test scores per license cycle.

(5) An educator may receive license renewal points for service in a leadership role in a national, state-wide, or LEA-recognized professional education organization, as follows:

(a) The educator's direct administrative supervisor shall approve qualifying service under Subsection (5); and

(b) Each clock hour of participation qualifies for one license renewal point, not to exceed ten points per year.

(6) An educator may receive license renewal points for substituting in a public school or accredited private school in Utah, as follows:

(a) The educator must have an inactive license during the school year the points are earned;

(b) Two hours of documented substitute time equals one license renewal point, not to exceed 25 points per year or 50 points per license cycle; and

(c) A licensed administrator at the LEA where the substitute teaching occurred shall verify hours on LEA or school letterhead;

(7) An educator may receive license renewal points for paraprofessional or volunteer service in a public school or accredited private school in Utah, as follows:

(a) The educator must have an inactive license during the school year the points are earned;

(b) Three hours of documented paraprofessional or volunteer service equals one license renewal point, not to exceed 25 points per year or 50 points per license cycle; and

(c) A licensed administrator at the LEA where the paraprofessional or volunteer service occurred shall verify hours on LEA or school letterhead.

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Notice of Continuation:

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