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MEMORANDUM (Revised)

To: Law and Licensing Committee, Utah State Board of Education

From: Ben Rasmussen, Director of Law and Professional Practices

Date: July 22, 2016

Re: Public Hearing on Proposed Rule R277-511, Academic Pathway to Teaching (APT)
Level 1 License

This memorandum will serve to outline the procedures to be followed in conjunction with the hearing scheduled on July 26, 2016 regarding Proposed Rule R277-511. In conjunction with R15-1-5, I have been appointed to be the hearing officer. The hearing will commence at 4:00 and the committee will hear public comment pursuant to Admin Code R15-1-5, which states:

(3) Time. The officer shall open the hearing at the announced time and place and permit comment for a minimum of one hour. The hearing may be extended or continued to another day as necessary in the judgment of the officer.

(4) Comment.

(a) At the opening of the hearing, the officer shall explain the subject and purpose of the hearing and invite orderly, germane comment from all persons in attendance. The officer may set time limits for speakers and shall ensure equitable use of time.

(b) The agency shall have a representative at the hearing, other than the officer, who is familiar with the rule at issue and who can respond to requests for information by those in attendance.

(c) The officer shall invite written comment to be submitted at the hearing or after the hearing, within a reasonable time. Written comment shall be attached to the hearing minutes.

(d) The officer shall conduct the hearing as an open, informal, orderly, and informative meeting. Oaths, cross-examination, and rules of evidence are not required.

Interested parties are encouraged to submit written feedback to the committee, which will be provided to the committee and posted on the Board's website prior to the hearing. Written

comment should be submitted by email to rule.comments@schools.utah.gov. Written comment will be accepted until close of business Monday, August 1, 2016.

Each organization that has submitted a formal request for a hearing as of today will be allotted at least ten minutes to present oral comment at the hearing. Other parties will be permitted to present as time allows, with priority given to those individuals who request to be heard in advance by emailing Board Secretary Lorraine Austin, lorraine.austin@schools.utah.gov, by 12:00 noon, Tuesday, July 26, 2016. Individuals should indicate whether they wish to speak in favor of or in opposition to the proposed rule. Individuals may be allowed between 2-3 minutes. Individuals speaking on behalf of an organization, other than those who have filed a formal request for hearing, may be allowed 5 minutes to speak, in lieu of individual group members presenting.

The following organizations requested the hearing and will be heard in the following order:

Utah Association of Mathematics Teacher Educators

Utah Foreign Language Association

Utah House Democratic Caucus

Utah Education Association

Utah Council of Teachers of English

American Board for Certification of Teacher Excellence

After the organizations listed above provide their comments to the Board, additional public comment will be allowed, alternating between proponents and opponents of the rule.

At the end of the scheduled time for the hearing, if the hearing officer determines that additional time is necessary he will ask the Board members present if they want to extend the time and continue to hear comment or schedule another hearing. The hearing officer will compile the hearing record and submit it to the Board for consideration as soon as practicable after the comment period ends, so that the Board has a reasonable time to review, evaluate and consider the hearing report for the August 12, 2016 Board meeting.

Further questions regarding the conduct of the hearing may be directed to the hearing officer at benjamin.rasmussen@schools.utah.gov.