

Representative Norman K Thurston proposes the following substitute bill:

TEACHER LICENSURE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Norman K Thurston

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill addresses changes in teacher licensure requirements.

Highlighted Provisions:

This bill:

- ▶ amends legislative findings on teacher competency;
- ▶ directs the State Board of Education (state board) and the Utah Board of Higher Education to develop a strategy for modifying traditional and alternative programs for training and licensing teachers;
- ▶ prohibits the state board from requiring a pedagogical performance assessment to obtain licensure;
- ▶ amends rulemaking authority for the state board;
- ▶ limits the delegation of authority regarding preparation programs;
- ▶ clarifies roles for local education agencies; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **53E-6-103**, as last amended by Laws of Utah 2019, Chapter 186

29 **53E-6-201**, as last amended by Laws of Utah 2023, Chapter 368

30 **53E-6-301**, as last amended by Laws of Utah 2022, Chapter 285

31 **53E-6-302**, as last amended by Laws of Utah 2022, Chapter 285

32 **53E-6-902**, as last amended by Laws of Utah 2020, Chapter 408

33 **53G-11-509**, as last amended by Laws of Utah 2019, Chapter 293

34 ENACTS:

35 **53E-6-206**, Utah Code Annotated 1953



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

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

39 **53E-6-103. Legislative findings on teacher quality -- Declaration of education as a**
40 **profession.**

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

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

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

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

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

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

56 (b) In providing for the safe and effective performance of the function of educating

57 Utah's children, the Legislature further finds it to be of critical importance that education,
58 including instruction, administrative, and supervisory services, be recognized as a profession,
59 and that those who are licensed or seek to become licensed and to serve as educators:

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

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

67 (iii) receive fair, systematic evaluations of their performance at school for the purpose
68 of enhancing the quality of public education and student achievement; and

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

74 Section 2. Section **53E-6-201** is amended to read:

75 **53E-6-201. State board licensure.**

76 (1) The state board shall [~~establish in rule made~~] make rules in accordance with Title
77 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish a system for educator
78 licensing that includes:

79 (a) an associate educator license that permits an individual to provide educational
80 services in a public school while working to meet the requirements of a professional educator
81 license;

82 (b) a professional educator license that permits an individual to provide educational
83 services in a public school after demonstrating that the individual meets licensure requirements
84 established in state board rule;

85 (c) an LEA-specific educator license issued by the state board at the request of an
86 LEA's governing body that is valid for an individual to provide educational services in the
87 requesting LEA's schools; [~~and~~]

88 (d) beginning in the 2023-2024 school year, a provider-specific license issued by the
89 state board at the request of an authorized online course provider described in Subsection
90 [53F-4-504](#) that:

91 (i) is valid for an individual to provide educational services to a student enrolled in an
92 online course described in [53F-4-503](#); and

93 (ii) contains eligibility criteria that is no more stringent than the requirements for a
94 license described in Subsection (1)(c)[~~;~~]; and

95 (e) beginning in the 2029-2030 school year, the creation or modification of licenses if
96 any are created or modified under Section [53G-6-206](#).

97 (2) An individual employed in a position that requires licensure by the state board shall
98 hold the license that is appropriate to the position.

99 (3) (a) (i) [~~The~~] Except as provided in Subsection (3)(a)(ii), the state board may [by
100 rule made] make rules in accordance with Title 63G, Chapter 3, Utah Administrative
101 Rulemaking Act, rank, endorse, or otherwise classify licenses and establish the criteria for
102 obtaining, retaining, and reinstating licenses.

103 (ii) The state board may not make licensure contingent upon passage of a pedagogical
104 performance assessment.

105 (b) An educator who is enrolling in a course of study at an institution within the state
106 system of higher education to satisfy the state board requirements for retaining a license is
107 exempt from tuition, except for a semester registration fee established by the Utah Board of
108 Higher Education, if:

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

112 (ii) enrollments are determined by each institution under rules and guidelines
113 established by the Utah Board of Higher Education in accordance with findings of fact that
114 space is available for the educator's enrollment.

115 Section 3. Section [53E-6-206](#) is enacted to read:

116 **53E-6-206. Expansion of traditional and alternative programs for teacher**
117 **training.**

118 (1) (a) By July 1, 2028, the state board and the Utah Board of Higher Education, in

119 consultation with administrators and staff ~~Ĥ~~→ **directly** ←~~Ĥ~~ responsible for hiring licensed
119a educators at an LEA
120 or regional education service agency as defined in Section 53G-4-410, shall develop a strategy
121 for modifying traditional and alternative programs for training teachers.

122 (b) The strategy described in Subsection (1)(a) shall include consideration of:

123 (i) competency-based approaches;

124 (ii) experiential learning, including apprenticeships; and

125 (iii) degree-agnostic qualifications.

126 (2) (a) Subject to having an agreement between at least one institution of higher
127 education and the state board, the state board shall modify requirements for traditional and
128 alternative training program licenses to accommodate the strategy described in Subsection (1).

129 (b) The changes described in Subsection (2)(a) may include the modification of
130 requirements necessary for:

131 (i) a license based on an associates degree;

132 (ii) competency-based training programs;

133 (iii) accommodations for non-traditional students;

134 (iv) credit for competency obtained through prior learning or experience; or

135 (v) other options that would accommodate the strategy described in Subsection (1).

136 Section 4. Section **53E-6-301** is amended to read:

137 **53E-6-301. Qualifications of applicants for licenses -- Changes in qualifications.**

138 (1) As used in this section:

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

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

144 (2) The state board shall establish by rule made in accordance with Title 63G, Chapter
145 3, Utah Administrative Rulemaking Act, the scholarship, competencies, training, and
146 experience required of license applicants.

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

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

150 (4) ~~(a)~~ [The] Except as provided in Subsection (4)(b), the state board may determine by
151 examination or otherwise the qualifications of license applicants.

152 (b) The state board may not make licensure contingent upon passage of a pedagogical
153 performance assessment.

154 (5) If the state board uses a required literacy preparation assessment under Subsection
155 (4):

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

159 (ii) the license applicant is not eligible for a professional educator license described in
160 Section 53E-6-201 until the license applicant successfully passes the required literacy
161 preparation assessment; and

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

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

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

167 Section 5. Section 53E-6-302 is amended to read:

168 **53E-6-302. Educator preparation programs.**

169 (1) As used in this section:

170 (a) "Educator preparation program" means:

171 (i) a university teacher education program; or

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

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

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

180 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

181 state board shall make rules that establish standards for approval of an educator preparation
182 program.

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

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

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

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

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

191 (4) The state board shall designate an employee of the state board's staff to:

192 (a) work with education deans of state institutions of higher education to coordinate
193 university teacher preparation programs that may include:

194 (i) monitoring courses for university teacher preparation programs; and

195 (ii) working with course instructors for university teacher preparation programs;

196 (b) act as a liaison between:

197 (i) the state board;

198 (ii) local school boards or charter school governing boards; and

199 (iii) representatives of university teacher preparation programs; and

200 (c) report the employee's findings and recommendations for the improvement of
201 teacher preparation programs to:

202 (i) the state board; and

203 (ii) education deans of state institutions of higher education.

204 (5) The state board shall:

205 (a) in good faith, consider the findings and recommendations described in Subsection
206 (4)(c); and

207 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
208 make rules, as the state board determines is necessary, to implement recommendations
209 described in Subsection (4)(c).

210 (6) Subject to legislative appropriations, the Utah Board of Higher Education shall:

211 (a) provide matching funds to each of the state's institutions of higher education with a

212 university teacher preparation program:

213 (i) to hire an additional faculty member who has training in the science of reading and
214 the science of reading instruction; and

215 (ii) in an amount equal to 75% of the cost of making the hire described in Subsection
216 (6)(a) if the institution provides 25% of the cost; and

217 (b) consult the state superintendent regarding:

218 (i) criteria for the hire described in Subsection (6)(a) that would qualify for a
219 distribution of funding; and

220 (ii) an individual institution's fulfillment of the criteria described in Subsection
221 (6)(b)(i) before distributing funding.

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

225 (8) The state board shall:

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

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

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

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

233 **53E-6-902. Teacher leaders.**

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

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

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

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

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

240 (d) provide feedback on the demonstration of competencies for an applicant seeking
241 licensure through a preparation program.

242 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

243 state board shall make rules that:

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

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

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

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

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

251 Section 7. Section **53G-11-509** is amended to read:

252 **53G-11-509. Mentor for provisional educator.**

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

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

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

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

265 Section 8. **Effective date.**

266 This bill takes effect on May 1, 2024.