

1 **R277. Education, Administration.**

2 ~~[R277-527. International Guest Teachers.~~

3 ~~R277-527-1. Authority and Purpose.~~

4 ~~——(1) This rule is authorized by:~~

5 ~~——(a) Utah Constitution Article X, Section 3, which vests general control and supervision~~
6 ~~of public education in the Board;~~

7 ~~——(b) Section 53E-3-401(4) which allows the Board to make rules to execute the Board's~~
8 ~~duties and responsibilities under the Utah Constitution and state law; and~~

9 ~~——(c) Section 53A-1-402(1)(a) which directs the Board to establish rules and minimum~~
10 ~~standards for the qualification and licensing of educators and ancillary personnel who provide~~
11 ~~direct student services.~~

12 ~~——(2) The purpose of this rule is to establish procedures for qualified international guest~~
13 ~~teachers who meet the definition of Section R277-527-1 to be effectively hired and placed by~~
14 ~~a Utah LEA with assistance and direction from the Superintendent to encourage cultural~~
15 ~~exchange and foreign language development among Utah public school students.~~

16 ~~R277-527-2. Definitions.~~

17 ~~——(1) "International guest teacher" or "guest teacher" means a foreign educator who:~~

18 ~~——(a) has earned a public teaching credential or license in a foreign country;~~

19 ~~——(b) is currently legally residing in the United States and the state of Utah with the~~
20 ~~specific purpose to teach in Utah public schools; and~~

21 ~~——(c) is a resident of a foreign country that has a Memorandum of Understanding with~~
22 ~~the Board as described in Subsection R277-527-3.~~

23 ~~——(2) "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the~~
24 ~~Blind.~~

25 ~~R277-527-3. Superintendent Responsibilities.~~

26 ~~——(1) On behalf of the board, the Superintendent shall sign a Memorandum of~~
27 ~~Understanding between the Board and the appropriate government agency of the country of~~

28 origin of guest teachers, as approved by the Board.

29 ~~——(2) The Superintendent shall work with guest teachers and their resident countries and~~
30 ~~the United States Department of State, if necessary, to secure appropriate visas or travel and~~
31 ~~work documents for guest teachers to legally teach in the public schools in Utah.~~

32 ~~——(3) The Superintendent shall verify that guest teachers have appropriate licenses or~~
33 ~~credentials from the guest teachers' resident countries that satisfy the requirements of Utah~~
34 ~~law and any applicable federal requirements.~~

35 ~~——(4) The Superintendent shall work with interested LEAs to make schools aware of~~
36 ~~guest teachers with specific credentials and language skills and to inform guest teachers about~~
37 ~~openings in specific grade levels and curriculum areas in various geographic locations in Utah.~~

38 ~~——(5) The Superintendent shall require and review a guest teacher's criminal background~~
39 ~~checks required under Section 53G-11-403 and a criminal background clearance from the~~
40 ~~guest teacher's resident country or both prior to authorizing the guest teacher to work in Utah.~~

41 ~~——(6) The Board may determine that it will seek guest teachers only from foreign~~
42 ~~countries that provide transportation or per diem expenses or both for the Superintendent~~
43 ~~representatives to screen and interview potential guest teachers.~~

44 ~~——(7) Following review and approval of a guest teacher's credentials and background,~~
45 ~~a guest teacher may receive an International Guest Teacher license equivalent to a Level 1~~
46 ~~or professional license.~~

47 **~~R277-527-4. International Guest Teacher Requirements.~~**

48 ~~——(1) A Guest teacher shall have a United States issued social security number prior to~~
49 ~~an LEA processing any payment to the guest teacher.~~

50 ~~——(2) A Guest teacher shall cooperate with the Superintendent in required submission~~
51 ~~of information including criminal background check information, copies of credentials, copies~~
52 ~~of transcripts in the language and format designated by the Superintendent.~~

53 ~~——(3) A Guest teacher shall assume all responsibility for living and transportation~~
54 ~~expenses while participating in the International Guest Teachers Program.~~

55 ~~———(4) A Guest teacher shall be responsible for compliance with all state of Utah/Board~~
56 ~~and employing LEA professional and ethical public school educator requirements.~~

57 ~~———(5) A guest teacher who violates an LEA employment or state of Utah, Board or local~~
58 ~~professional practice may have the teacher's guest employment contract terminated consistent~~
59 ~~with at will employment provisions.~~

60 ~~———(6) The conduct of an individual guest teacher may influence continued participation~~
61 ~~in an International Guest Teacher Program between the Board and a guest teacher's resident~~
62 ~~country.~~

63 ~~**R277-527-5. Other Provisions.**~~

64 ~~———(1) The opportunity for a teacher from outside the United States to be licensed to teach~~
65 ~~in Utah schools with assistance provided by the Superintendent under this rule shall be~~
66 ~~available only to individuals from countries with which the Board has signed a Memorandum~~
67 ~~of Understanding.~~

68 ~~———(2) A business or third party may not facilitate a Memorandum of Understanding~~
69 ~~between a foreign country and the Board, but may facilitate the hiring process at the request~~
70 ~~of an LEA.~~

71 ~~———(3)(a) An internationally credentialed educator may seek appropriate licensing to teach~~
72 ~~in Utah schools.~~

73 ~~———(b) An educator from a country that does not have Memoranda of Understanding with~~
74 ~~the Board shall be licensed under R277-502.~~

75 ~~———(4) It is the responsibility of a prospective guest teacher or the guest teacher's home~~
76 ~~country to ensure that the guest teacher has the appropriate visa or authorization or both to~~
77 ~~live and teach in the United States for the agreed upon time period and teaching assignment.~~

78 ~~**KEY: international guest teachers**~~

79 ~~**Date of Enactment or Last Substantive Amendment: November 7, 2018**~~

80 ~~**Notice of Continuation: September 13, 2018**~~

81 ~~**Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(3); 53E-3-**~~

REPEAL
May 26, 2020

82 **501(1)(a)}**