

POLICY 3020

Employment: Requirements and Restrictions

- A. Personnel shall possess and maintain valid certificates, licenses, or credentials before contracts are issued, duties assigned, or payment is made from any source of funds. Any person, who seeks employment in the district in a position which requires a certificate, license, or credential, must possess at the time of application or be eligible for the award of a valid certificate, license, or credential, before performance of contract in order for a contract with the board to be binding.
- B. Each employee of the Board of Education of the Box Elder School District agrees to serve in the capacity for which he/she was employed, in the place designated by the Board of Education, for the time specified in the calendar as adopted by the board, and for the salary adopted by the board as contained in the salary schedule for each employee designation; to perform faithfully the duties assigned under the control, direction and guidance of the superintendent of schools and the principal of the school to which he/she is assigned; and in the performance of these duties to be subject to all rules and regulations of the Board of Education of the Box Elder School District.
- C. Unless an express exception exists under law or under the rules of the Utah State Board of Education, to be employed in the District in a capacity covered by the following license areas of concentration, a person shall hold a valid license issued by the Utah State Board of Education the respective license areas of concentration:
1. Early Childhood
 2. Elementary
 3. Secondary
 4. Educational Leadership
 5. Career and Technical Education or "CTE"
 6. School Counselor
 7. School Psychologist
 8. Special Education

- 9. Preschool Special Education
- 10. Deaf Education
- 11. Speech- Language Pathologist
- 12. Speech-Language Technician
- 13. School Social Worker
- 14. Communication Disorders

[Utah Admin. Rules R277-301](#)

- D. On an annual basis, the District shall request Local Education Agency (LEA) specific licenses and endorsements from the Utah State Board of Education for teachers assigned to teaching classes for which they are not licensed or endorsed by the Utah State Board of Education.

~~[Utah Admin. Rules R277-520-6](#)~~

- E. The District shall identify and distinguish between “teachers” who hold a Professional, Associate, or LEA Specific License. Lists of teachers and associate teachers shall be maintained at each school’s website and shall be available for review by any person upon request.
- F. School health care providers, including physicians and nurses, shall maintain appropriate licensure from the state of Utah.
- G. The district may require an employee to provide satisfactory evidence that he/she is mentally and physically qualified to perform the duties of the job. Satisfactory evidence may include, but is not limited to, regular mental or physical examinations by a qualified physician.
 - 1. Evidence of mental or physical condition provided by an employee pursuant to the previous section is deemed private and may be disclosed only to:
 - a. The employee, or a designated representative of the employee;
 - b. School officers and members of the Board;

- c. The Department of Health;
 - d. Local health authorities;
 - e. The physician or other authorized person(s) who performed the examination(s);
 - f. A health care professional who has legitimate need to know the test result in order to provide for the health care provider's protection and welfare; or
 - g. Persons or entities or classes of persons or entities authorized by written release signed by the employee.
- H. Any prospective employee must submit to a criminal background check ~~at the prospective employee's expense~~. Where reasonable cause exists, a current employee may be required to submit to fingerprinting and a criminal background check at the ~~Board's District's~~ expense.
- 1. An administrator may obtain any information in the possession of the State Office of Education, which is relevant to evaluating the employment of a current or prospective employee of the school. If a decision is made not to hire a prospective employee or to take action against a current employee based upon such information, the individual affected shall be given notice of the information and be provided an opportunity to refute or respond to the information. An administrator who, in good faith, discloses or receives information under this section is exempt from civil liability relating to that receipt or disclosure.
- I. A person is guilty of a class B misdemeanor if he/she knowingly gives or causes to be given false information to the District with a purpose of inducing a change in the person's licensing or certification status or the licensing or certification status of another.