

28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **53E-3-524**, as enacted by Laws of Utah 2022, Chapter 329

32 **58-60-204**, as last amended by Laws of Utah 2003, Chapter 201

33 **58-60-205**, as last amended by Laws of Utah 2022, Chapters 345, 466



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

36 Section 1. Section **53E-3-524** is amended to read:

37 **53E-3-524. Newcomer student and foreign exchange student transcript**
38 **repository.**

39 (1) As used in this section:

40 (a) "Newcomer student" means a student who:

41 (i) is three through 21 years old;

42 (ii) was not born in any state; and

43 (iii) has not attended one or more schools in one or more states for more than three full
44 academic years.

45 (b) "Qualified social service provider" means a social service provider that works
46 directly with a student's family.

47 (c) "Repository" means the online transcript repository described in Subsection (2).

48 (d) "Social service provider" means:

49 (i) one of the following professionals, licensed to practice under Section **58-60-205**:

50 (A) a clinical social worker;

51 (B) a certified social worker; or

52 [~~(C) a certified social worker intern; or~~]

53 [~~(D)~~] (C) a social service worker; or

54 (ii) staff employed to provide direct support to a professional described in Subsection
55 (1)(d)(i).

56 (e) "State" means:

57 (i) a state of the United States;

58 (ii) the District of Columbia; or

- 59 (iii) the Commonwealth of Puerto Rico.
- 60 (f) "Student" means an individual who is enrolled in:
 - 61 (i) a public school within the state of Utah; and
 - 62 (ii) any grade from kindergarten through grade 12.
- 63 (g) (i) "Transcript" means documentation of a newcomer student's or foreign exchange
64 student's prior educational experience.
- 65 (ii) "Transcript" includes oral representations about prior educational experience that a
66 school or an LEA documents.
- 67 (2) On or before July 1, 2024, the state board shall establish and maintain, as part of
68 the Utah school information management system described in Section [53E-3-518](#), an online
69 repository for transcripts.
- 70 (3) The state board shall:
 - 71 (a) ensure that the repository provides a central location for:
 - 72 (i) an LEA to upload transcripts; and
 - 73 (ii) LEAs and qualified service providers to share information regarding transcripts,
74 including:
 - 75 (A) best practices for linguistic interpretation;
 - 76 (B) interpretation of educational experiences; and
 - 77 (C) placement of newcomer students;
 - 78 (b) ensure that use of the repository:
 - 79 (i) is voluntary; and
 - 80 (ii) complies with all state and federal student privacy requirements, including:
 - 81 (A) Title 53E, Chapter 9, Student Privacy and Data Protection; and
 - 82 (B) the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g;
 - 83 (c) provide the repository at no cost to LEAs;
 - 84 (d) provide access to the repository to qualified social service providers;
 - 85 (e) establish appropriate access protocols in coordination with LEAs and qualified
86 social service providers; and
 - 87 (f) annually, before the school enrollment period begins, provide notice of the
88 repository to interested parties that the state board designates in state board rule.
 - 89 (4) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah

90 Administrative Rulemaking Act, to implement this section, including rules:

91 (a) establishing procedures:

92 (i) to protect student data related to the repository in compliance with Title 53E,
93 Chapter 9, Student Privacy and Data Protection; and

94 (ii) for the use of the repository by the state board, LEAs, and qualified social service
95 providers;

96 (b) requiring repository users to enter into a data sharing agreement; and

97 (c) designating the interested parties described in Subsection (3)(f).

98 Section 2. Section **58-60-204** is amended to read:

99 **58-60-204. License classifications.**

100 The division shall issue licenses and certifications to individuals qualified under this
101 part in the classifications:

102 (1) clinical social worker;

103 (2) certified social worker; and

104 [~~(3) certified social worker intern; and~~]

105 [~~(4)~~] (3) social service worker.

106 Section 3. Section **58-60-205** is amended to read:

107 **58-60-205. Qualifications for licensure or certification as a clinical social worker,**
108 **certified social worker, and social service worker.**

109 (1) An applicant for licensure as a clinical social worker shall:

110 (a) submit an application on a form provided by the division;

111 (b) pay a fee determined by the department under Section [63J-1-504](#);

112 (c) produce certified transcripts from an accredited institution of higher education
113 recognized by the division in collaboration with the board verifying satisfactory completion of
114 an education and an earned degree as follows:

115 (i) a master's degree in a social work program accredited by the Council on Social
116 Work Education or by the Canadian Association of Schools of Social Work; or

117 (ii) a doctoral degree that contains a clinical social work concentration and practicum
118 approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah
119 Administrative Rulemaking Act, that is consistent with Section [58-1-203](#);

120 (d) have completed a minimum of 3,000 hours of clinical social work training as

121 defined by division rule under Section 58-1-203:

122 (i) in not less than two years;

123 (ii) under the supervision of a supervisor approved by the division in collaboration with
124 the board who is a:

125 (A) clinical mental health counselor;

126 (B) psychiatrist;

127 (C) psychologist;

128 (D) registered psychiatric mental health nurse practitioner;

129 (E) marriage and family therapist; or

130 (F) clinical social worker; and

131 (iii) including a minimum of two hours of training in suicide prevention via a course
132 that the division designates as approved;

133 (e) document successful completion of not less than 1,000 hours of supervised training
134 in mental health therapy obtained after completion of the education requirement in Subsection
135 (1)(c), which training may be included as part of the 3,000 hours of training in Subsection
136 (1)(d), and of which documented evidence demonstrates not less than 100 of the hours were
137 obtained under the direct supervision, as defined by rule, of a supervisor described in
138 Subsection (1)(d)(ii);

139 (f) have completed a case work, group work, or family treatment course sequence with
140 a clinical practicum in content as defined by rule under Section 58-1-203;

141 (g) except as provided in Subsection (6), pass the examination requirement established
142 by rule under Section 58-1-203; and

143 (h) if the applicant is applying to participate in the Counseling Compact under Chapter
144 60a, Counseling Compact, consent to a criminal background check in accordance with Section
145 58-60-103.1 and any requirements established by division rule made in accordance with Title
146 63G, Chapter 3, Utah Administrative Rulemaking Act.

147 (2) An applicant for licensure as a certified social worker shall:

148 (a) submit an application on a form provided by the division;

149 (b) pay a fee determined by the department under Section 63J-1-504; and

150 (c) produce certified transcripts from an accredited institution of higher education

151 recognized by the division in collaboration with the board verifying satisfactory completion of

152 an education and an earned degree as follows:

153 (i) a master's degree in a social work program accredited by the Council on Social
154 Work Education or by the Canadian Association of Schools of Social Work; or

155 (ii) a doctoral degree that contains a clinical social work concentration and practicum
156 approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah
157 Administrative Rulemaking Act, that is consistent with Section 58-1-203~~[; and]~~.

158 ~~[(d) pass the examination requirement established by rule under Section 58-1-203.]~~

159 ~~[(3)(a) An applicant for certification as a certified social worker intern shall meet the
160 requirements of Subsections (2)(a), (b), and (c).]~~

161 ~~[(b) Certification under Subsection (3)(a) is limited to the time necessary to pass the
162 examination required under Subsection (2)(d) or six months, whichever occurs first.]~~

163 ~~[(c) A certified social worker intern may provide mental health therapy under the
164 general supervision, as defined by rule, of a supervisor described in Subsection (1)(d)(ii).]~~

165 ~~[(4)]~~ (3) An applicant for licensure as a social service worker shall:

166 (a) submit an application on a form provided by the division;

167 (b) pay a fee determined by the department under Section 63J-1-504; and

168 (c) produce certified transcripts from an accredited institution of higher education
169 recognized by the division in collaboration with the board verifying satisfactory completion of
170 an education and an earned degree as follows:

171 (i) a bachelor's degree in a social work program accredited by the Council on Social
172 Work Education or by the Canadian Association of Schools of Social Work;

173 (ii) a master's degree in a field approved by the division in collaboration with the
174 board;

175 (iii) a bachelor's degree in any field if the applicant:

176 (A) has completed at least three semester hours, or the equivalent, in each of the
177 following areas:

178 (I) social welfare policy;

179 (II) human growth and development; and

180 (III) social work practice methods, as defined by rule; and

181 (B) provides documentation that the applicant has completed at least 2,000 hours of
182 qualifying experience under the supervision of a mental health therapist, which experience is

183 approved by the division in collaboration with the board, and which is performed after
184 completion of the requirements to obtain the bachelor's degree required under this Subsection
185 (4); or

186 (iv) successful completion of the first academic year of a Council on Social Work
187 Education approved master's of social work curriculum and practicum[~~;~~and].

188 [~~(d)~~ pass the examination requirement established by rule under Section 58-1-203.]

189 [~~(5)~~] (4) The division shall ensure that the rules for an examination described under
190 [Subsections (1)(g), (2)(d), and (4)(d)] Subsection (1)(g) allow additional time to complete the
191 examination if requested by an applicant who is:

192 (a) a foreign born legal resident of the United States for whom English is a second
193 language; or

194 (b) an enrolled member of a federally recognized Native American tribe.

195 (5) By rule made in accordance with Title 63G, Chapter 3, Utah Administrative
196 Rulemaking Act, and subject to Section 58-1-203, the division may:

197 (a) create a path to licensure as a social service worker that includes, in addition to the
198 requirements in Subsection (2), an examination requirement;

199 (b) create a path to licensure as a certified social worker that includes, in addition to the
200 requirements in Subsection (3), an examination requirement; or

201 (c) create a provisional clinical social worker license that may be issued to an applicant
202 who:

203 (i) has applied for licensure as a clinical social worker;

204 (ii) speaks English as a second language;

205 (iii) has not obtained a passing score on the examination described in Subsection
206 (1)(g); and

207 (iv) otherwise meets all the requirements for licensure as a clinical social worker.

208 (6) If the division creates a provisional clinical social worker license pursuant to
209 Subsection (5)(c), the division shall also make rules in accordance with Title 63G, Chapter 3,
210 Utah Administrative Rulemaking Act, and subject to Section 58-1-203, creating a path to
211 licensure as a clinical social worker for an individual:

212 (a) who is issued a provisional clinical social worker license;

213 (b) who demonstrates competence by completing a minimum of 2,000 hours of

214 supervised clinical social work practice, as defined by division rule; and
215 (c) whose ability to practice competently and ethically is attested to by a supervisor
216 who supervised the individual's clinical social work practice under Subsection (6)(b).