# Blueprint for Change in Utah

2010 State Teacher Policy Yearbook



National Council on Teacher Quality

### **Acknowledgments**

### **STATES**

State education agencies remain our most important partners in this effort, and their extensive experience has helped to ensure the factual accuracy of the final product. Although this year's *Blueprint for Change* did not require the extensive review typically required of states, we still wanted to make sure that states' perspectives were represented. As such, each state received a draft of the policy updates we identified this year. We would like to thank all of the states for graciously reviewing and responding to our drafts.

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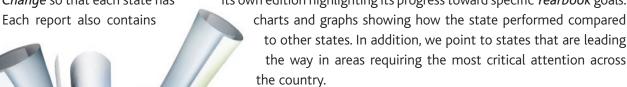
### About the Yearbook

The 2010 *Blueprint for Change* is the National Council on Teacher Quality's fourth annual review of state laws, rules and regulations that govern the teaching profession. This year's *Yearbook* takes a different approach than our past editions, as it is designed as a companion to the 2009 *State Teacher Policy Yearbook*, NCTQ's most recent comprehensive report on state teacher policies.

The comprehensive *Yearbook*, a 52-volume state-by-state analysis produced biennially, examines the alignment of states' teacher policies with goals to improve teacher quality. The 2009 report, which addressed key policy areas such as teacher preparation, evaluation, alternative certification and compensation, found that states had much work to do to ensure that every child has an effective teacher. Next year we will once again conduct a comprehensive goal-by-goal analysis of all aspects of states' teacher policies.

In 2010, an interim year, we set out to help states prioritize among the many areas of teacher policy in need of reform. With so much to be done, state policymakers may be nonplussed about where to begin. The 2010 *Yearbook* offers each state an individualized blueprint, identifying state policies most in need of attention. Although based on our 2009 analyses, this edition also updates states' progress in the last year, a year that saw many states make significant policy changes, largely spurred by the Race to the Top competition. Rather than grade states, the 2010 *Blueprint for Change* stands as a supplement to the 2009 comprehensive report, updating states' positive and negative progress on *Yearbook* goals and specifying actions that could lead to stronger policies for particular topics such as teacher evaluation, tenure rules and dismissal policies.

As is our practice, in addition to a national summary report, we have customized this year's *Blueprint for Change* so that each state has its own edition highlighting its progress toward specific *Yearbook* goals.



We hope that this year's *Blueprint for Change* serves as an important guide for governors, state school chiefs, school boards, legislatures and the many advocates seeking reform. Individual state and national versions of the 2010 *Blueprint for Change*, as well as the 2009 *State Teacher Policy Yearbook*—including rationales and supporting research for our policy goals—are available at www.nctq.org/stpy.

### Blueprint for Change in Utah

he 2009 State Teacher Policy Yearbook provided a comprehensive review of states' policies that impact the teaching profession. As a companion to last year's comprehensive state-by-state analysis, the 2010 edition provides each state with an individualized "Blueprint for Change," building off last year's Yearbook goals and recommendations.

State teacher policy addresses a great many areas, including teacher preparation, certification, evaluation and compensation. With so many moving parts, it may be difficult for states to find a starting point on the road to reform. To this end, the following brief provides a state-specific roadmap, organized in three main sections.

- Section 1 identifies policy concerns that need critical attention, the areas of highest priority for state policymakers.
- Section 2 outlines "low-hanging fruit," policy changes that can be implemented in relatively short order.
- Section 3 offers a short discussion of some longer-term systemic issues that states need to make sure stay on the radar.

### **Current Status of Utah's Teacher Policy**

In the 2009 State Teacher Policy Yearbook, Utah had the following grades:



Area 1: Delivering Well Prepared Teachers	D-
Area 2: Expanding the Teaching Pool	D
Area 3: Identifying Effective Teachers	D
Area 4: Retaining Effective Teachers	С
Area 5: Exiting Ineffective Teachers	D-

### 2010 Policy Update:

In the last year, many states made significant changes to their teacher policies, spurred in many cases by the Race to the Top competition. Based on a review of state legislation, rules and regulations, NCTQ has identified the following recent policy changes in Utah:

### **Teacher Pensions:**

The defined benefit plans of the Utah State Retirement System will not be available to teachers hired after July 1, 2011. New teachers will have a choice between a defined contribution plan and a hybrid plan, which includes a defined benefit and may contain a defined contribution component, depending on plan costs. (Chapter 266, Laws of 2010) (SB 63)

### **■** Utah Response to Policy Update:

States were asked to review NCTQ's identified updates and also to comment on policy changes that have occurred in the last year, other pending changes or teacher quality in the state more generally.

Utah was helpful in providing NCTQ with additional information about recent policy changes. The state noted that its Educator Licensing and Curriculum & Instruction departments have been combined and are now called "Teaching and Learning."

### **Section 1: Critical Attention Areas**

This section identifies the highest priority areas as states work to advance teacher quality. These are the policy issues that should be at the top of the list for state policymakers. Utah should turn its immediate attention to the following ten issues.



### Critical Attention: Utah policies that need to better connect to teacher effectiveness

### **ENSURE THAT TEACHER EVALUATIONS ASSESS EFFECTIVENESS IN THE CLASSROOM:**

The fundamental purpose of teachers' formal evaluations should be to determine whether the teachers are effective in the classroom. To achieve this pur-

**Evaluation** is a critical attention area in

states.

States on the right track include Colorado, Louisiana and Rhode Island.

pose, evaluations must be based primarily on teachers' impact on students. While it is certainly appropriate to include subjective factors, such as classroom observations, Utah should adopt a policy that requires objective evidence of student learning—including but

not limited to standardized test scores—to be the preponderant criterion of teacher evaluations.

In order to ensure that teachers' strengths are optimized and weaknesses addressed, it is critical that teachers are evaluated with sufficient frequency. Utah should require that all nonprobationary teachers be evaluated annually regardless of their previous performance.

In addition, to ensure that the evaluation instrument accurately differentiates among levels of teacher performance, Utah should require districts to utilize multiple rating categories, such as highly effective, effective, needs improvement and ineffective. A binary system that merely categorizes teachers as satisfactory or unsatisfactory is inadequate.

### **CONNECT TENURE DECISIONS TO** TEACHER EFFECTIVENESS:

The point at which a teacher's probationary period ends, commonly referred to as tenure, should be a significant milestone. Although the awarding of tenure is a local decision, state policy should reflect the fact that tenure should only be awarded to teachers who have consistently demonstrated their effectiveness. Utah should require a clear process, such as a hearing, for districts to use when considering whether a teacher advances from probationary to permanent status. Such a process would ensure that the local district reviews the teacher's performance before making a determination. Utah should also ensure that evidence of effec-

tiveness is the preponderant criterion for making tenure decisions. In addition, the current policy of granting tenure after just three years does not allow for the accumulation of sufficient data on teacher performance to support meaningful decisions. Extending the

Tenure is a critical attention area in

States on the right track include Colorado. Delaware and Rhode Island.

probationary period—ideally to five years—would prevent effective teachers from being unfairly denied tenure based on too little data and ineffective teachers from being granted tenure prematurely.

# PREVENT INEFFECTIVE TEACHERS FROM REMAINING IN THE CLASSROOM INDEFINITELY:

Utah should explicitly make teacher ineffectiveness grounds for dismissal so that districts do not feel they lack the legal basis for terminating consistently poor performers, and it should steer clear of euphemistic terms that are ambiguous at best and may be interpreted as concerning dereliction of duty rather than ineffectiveness.

Nonprobationary teachers who are dismissed for any grounds, including ineffectiveness, are entitled to due process. However, cases that drag on for years drain resources from school districts and create a disincentive for districts to attempt to terminate poor performers. Therefore, the state must ensure that the oppor-

Dismissal is a critical attention area in

46 states.

States on the right track include Oklahoma and Rhode Island.

tunity to appeal occurs only once and only at the district level and involves only adjudicators with educational expertise.

<sup>2</sup> Legislation articulates that student growth must account for a significant portion of evaluations, with no single criterion counting for more than 35% of the total performance evaluation. However, the State Board is on track to finalize regulations that limit any single component of student growth, such as standardized test scores, to 35%, but add other measures of student progress for a total of 50%.

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<sup>1</sup> The District of Columbia has no state-level policy, but District of Columbia Public Schools requires that student academic achievement count for 50% of evaluation score.



### Critical Attention: Utah policies that fail to ensure teachers are well prepared

### **ENSURE THAT ELEMENTARY TEACHERS** KNOW THE SCIENCE OF READING:

Scientific research has shown that there are five essential components of effective reading instruction:

Preparation to teach reading is a critical attention area in

states.

States on the right track include Connecticut. Massachusetts and Virginia.

explicit and systematic instruction in phonemic awareness, phonics, fluency, vocabulary comprehension. This science of reading has led to breakthroughs that can dramatically reduce the number of children destined to become functionally illiterate or

barely literate adults. Whether through standards or coursework requirements, states must ensure that their preparation programs graduate only teacher candidates who know how to teach children to read. Not only should Utah require that its teacher preparation programs prepare their teacher candidates in the science of reading, but the state should also require an assessment prior to certification that tests whether teachers indeed possess the requisite knowledge in scientifically based reading instruction. Ideally this would be a stand-alone test (such as the excellent assessments required by Massachusetts, Connecticut and Virginia), but if it were combined with general pedagogy or elementary content, the state should require a separate subscore for the science of reading.

### **ENSURE THAT ELEMENTARY TEACHERS** 5. KNOW ELEMENTARY CONTENT MATH:

Aspiring elementary teachers must begin to acquire a deep conceptual knowledge of the mathematics they will teach, moving well beyond mere procedural understanding. Leading mathematicians and math educators have found that elementary teachers are not well served by mathematics courses designed for a general audience and that methods courses do not provide sufficient content preparation. Although the standards Utah relies on for teacher preparation address areas of mathematics such as algebra, geometry and data analysis, the state should specifically articulate that preparation programs deliver mathematics content geared to the explicit needs of elementary teachers. Utah should also adopt a rigorous mathematics assessment, such as the one required by Massachusetts. At the very least, the state should consider requiring a mathematics subscore on its general content knowledge

test, not only to ensure that teacher candidates have minimum mathematics knowledge but also to allow them to test out of coursework requirements.

Preparation to teach mathematics is a critical attention area in

A state on the right track is Massachusetts.

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# 6. PREPARATION FOR MIDDLE SCHOOL TEACHERS:

Middle school grades are critical years of schooling, yet too many states fail to distinguish the knowledge and skills needed by middle school teachers from those needed by elementary teachers. Whether teaching a single subject in a departmentalized setting or teaching multiple subjects in a self-contained setting, middle school teachers must be able to teach significantly more advanced content than elementary teachers do. To ensure adequate content preparation of its middle school teachers, Utah is urged to no longer permit middle school teachers to teach on a 1-8 generalist license and instead adopt for all teachers middle-grades licensure policies that are distinguishable from elementary teacher certification. Such policies should ensure that middle school teachers know the content they

will teach by requiring that they pass a subject-matter test in every core area they intend to teach prior to licensure.

Middle school licensure is a critical attention area in

22 states.

States on the right track include Georgia, Kentucky, and Louisiana.

- 1 Although California has a standalone test of reading pedagogy, the ability of this test to screen out candidates who do not know the science of reading has been questioned.
- 2 Florida's licensure test for elementary teachers includes a strong focus on the science of reading but does not report a separate subscore for this content.

### 7. ENSURE THAT TEACHER PREPARATION PROGRAMS ARE **ACCOUNTABLE FOR THE QUALITY** OF THE TEACHERS THEY PRODUCE:

States should consider factors related to program performance in the approval of teacher preparation programs. Although the quality of both the subjectmatter preparation and professional sequence is crucial, there are also additional measures that can provide the state and the public with meaningful, readily understandable indicators of how well programs are doing when it comes to preparing teachers to be successful in the classroom. Utah should make objective outcomes that go beyond licensure pass rates, such as graduates' evaluation results, retention rates and students' academic achievement gains, a central component of its teacher preparation program approval process, and it should establish precise standards for program performance that are more useful for accountability purposes. Utah should also post an annual report card on its web-

site that not only details the data it collects but also identifies programs that fail to meet these criteria.

Teacher preparation program accountability is a critical attention area in

states.

States on the right track include Colorado and Louisiana.



# Critical Attention: Utah policies that license teachers who may lack subject-matter knowledge

# 8 CLOSE LICENSURE LOOPHOLES TO ENSURE THAT TEACHERS KNOW THE CONTENT THEY TEACH:

All students are entitled to teachers who know the subject matter they are teaching. Permitting individuals who have not yet passed state licensing tests to teach neglects the needs of students, instead extending per-

Licensure loopholes are a critical attention area in

34 states.

States on the right track include Mississippi, Nevada and New Jersey.

sonal consideration to adults who may not be able to meet minimal state standards. Licensing tests are an important minimum benchmark in the profession, and states that allow teachers to postpone passing these tests are abandoning one of the basic responsibilities of licensure.

Utah should ensure that all teachers pass all required subject-matter licensure tests before they enter the classroom so that students will not be at risk of having teachers who lack sufficient or appropriate content-area knowledge. However, the state allows new teachers who have not passed required state licensing tests to teach for up to three years on a conditional license. Utah also allows alternate route teachers to teach on a temporary license for up to three years while they fulfill licensure requirements. If conditional or provisional licenses are deemed necessary, then the state should only issue them under limited and exceptional circumstances and for no longer than a period of one year.

# 9. ENSURE THAT ELEMENTARY CONTENT TESTS ADEQUATELY ASSESS CONTENT KNOWLEDGE IN EACH SUBJECT AREA:

Although Utah requires that all new elementary teachers must pass a Praxis II general subject-matter test, this assessment does not report teacher performance in each subject area, meaning that it is possible to pass the test and still fail some subject areas. The state should require separate passing scores for each area because without them it is impossible to measure knowledge of individual subjects, especially given the state's current low passing score for the elementary content test. According to published test data, Utah has set its passing score for this test considerably below the mean, the average

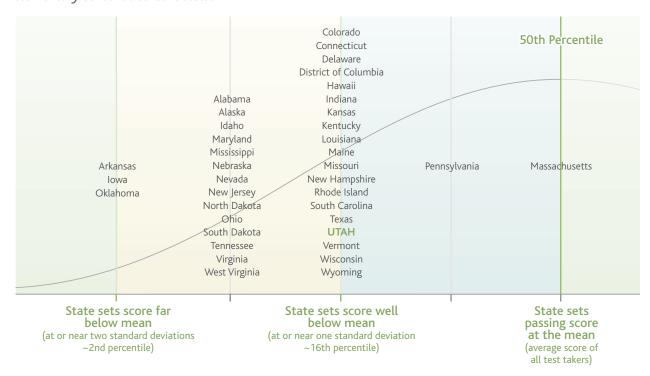
score of all test takers, so it is questionable whether this assessment is indeed providing any assurance of content knowledge.

Elementary licensure tests are a critical attention area in

50 states.

A state on the right track is Massachusetts.

Figure 3
Where do states set the passing score on elementary content licensure tests?<sup>1</sup>



<sup>1</sup> Data not available for Arizona, California, Florida, Georgia, Illinois, Michigan, Minnesota, New Mexico, New York, North Carolina, Oregon, and Washington. Montana does not require a content test. Colorado cut score is for Praxis II, not PLACE.



# Critical Attention: Utah policies that limit the teacher pipeline

# 10. PROVIDE FLEXIBILITY TO ALTERNATE ROUTE TEACHERS IN DEMONSTRATING CONTENT KNOWLEDGE:

Alternative certification can create a new pipeline of potential teachers for those with valuable knowledge and skills who did not prepare to teach as undergraduates. The concept behind the alternate route into teaching is that the nontraditional candidate is able to

Alternate route admissions is a critical attention area in

38 states.

States on the right track include Michigan and Oklahoma.

concentrate on acquiring professional knowledge and skills because he or she has strong subject-area knowledge. This must be demonstrated in advance of entering the classroom. Utah's current policy, which requires secondary candidates to demonstrate content

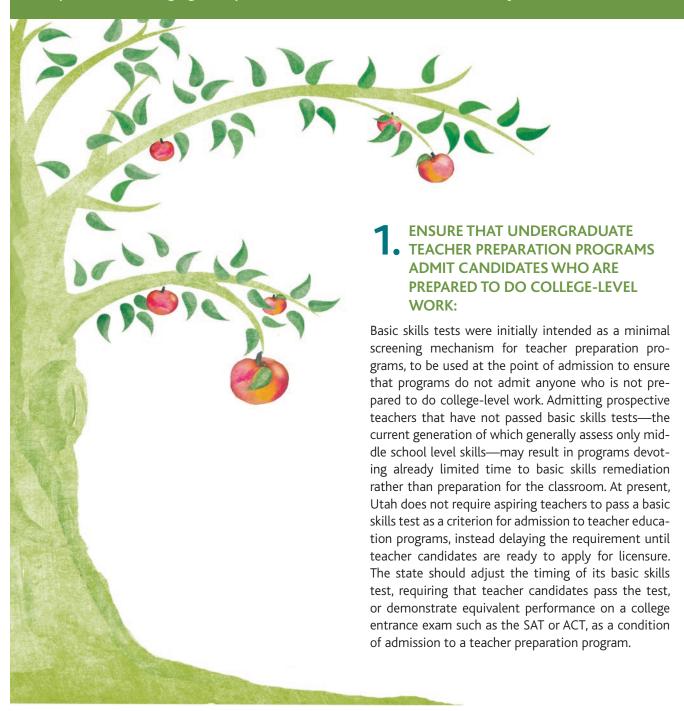
knowledge by having a major in their subject area, rules out talented individuals with deep knowledge that may have been gained through related study or work experience. Such candidates will likely be disinclined to fulfill the requirements of a new degree and should be permitted to demonstrate their content knowledge by passing a rigorous test. The state should require that all candidates demonstrate their subject-matter knowledge through a content test without also requiring a major or equivalent coursework.

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- 1 Alaska's alternate route is operated by the state department of education.
- 2 ABCTE is also an approved provider.
- 3 North Dakota does not have an alternate route to certification.

### Section 2: Low-Hanging Fruit

This section highlights areas where a small adjustment would result in significantly stronger policy. Unlike the more complex topics identified in Section 1, the issues listed in this section represent low-hanging fruit, policies that can be addressed in relatively short order.



# 2. ENSURE THAT SPECIAL EDUCATION TEACHERS ARE ADEQUATELY PREPARED TO TEACH SUBJECT MATTER:

To allow special education students the opportunity to reach their academic potential, special education teachers should be well trained in subject matter. As a first step toward ensuring requisite content knowledge, Utah should require that elementary special education candidates pass the same Praxis II subject-area test as other elementary teachers.

To ensure that secondary special education teachers are adequately prepared to teach multiple subjects, Utah should require that teacher preparation programs graduate secondary special education teacher candidates who are highly qualified in at least two subjects. The most efficient way to accomplish this objective is to require that teacher candidates earn the equivalent of two subject-area minors and pass tests in those areas. Utah requires, in addition to an area of concentration in special education, either a passing score on a board-approved content test, a major or its equivalent, or "documentation of satisfactory professional development and experience"; however, this only ensures that secondary special education teacher candidates are highly qualified in one core area.

# 3. INFORM THE PUBLIC ABOUT TEACHER PREPARATION PROGRAM QUALITY:

Even though Utah does not collect more meaningful data to measure the performance of teacher preparation programs, it should at least publish on the state's website the licensure test pass rate data for each program that are reported to the federal government as required under Title II.

### 4. EVALUATE NEW TEACHERS EARLY IN THE YEAR:

Although Utah commendably requires multiple evaluations for new teachers, the state should explicitly require that the first of these evaluations be conducted during the first half of the school year. This will allow new teachers to receive immediate feedback, as well as get the support they need sooner rather than later, especially for those that may be struggling. A plan for improvement can then be implemented, rather than potentially allowing an ineffective new teacher to remain in the classroom without any evaluation or support until late in the year.

# 5. REPORT SCHOOL-LEVEL DATA TO SUPPORT THE EQUITABLE DISTRIBUTION OF TEACHERS:

In 2006, Utah reported the percentage of highly qualified teachers at the school level, which it published as part of its Highly Qualified Teacher Plan. No additional data have been published since that time. While the state should consider making additional data available to the public to promote the equitable distribution of teacher talent among schools, at the very least it should ensure that the information provided is kept up-to-date.

### **Section 3: Systemic Issues**

This section discusses some of the longer-term systemic issues related to teacher quality that states also need to address. While these may not be "front-burner" issues in many states, they are important to an overall reform agenda.

### 1. Performance Management

The critical relationship between teacher quality and student achievement has been well established, and ensuring that all students have teachers with the knowledge and skills to support their academic success has become a national priority. Yet the policy framework that governs the teaching profession in most states is almost entirely disconnected from teacher effectiveness. Although states largely control how teachers are evaluated, licensed and compensated, teacher effectiveness in terms of student learning has not been a central component in these policies.

Fortunately, this is starting to change. Fifteen states have made progress in their requirements for teacher evaluation in the last year alone. As evaluation ratings become more meaningful, states should plan to connect teacher evaluation to an overall system of performance management. The current siloed approach, with virtually no connection between meaningful evidence of teacher performance and the awarding of tenure and professional licensure, needs a fundamental overhaul.

These elements must not be thought of as isolated and discrete, but as part of a comprehensive performance system. This system should also include compensation strategies as well as new teacher support and ongoing professional development, creating a coordinated and aligned set of teacher policies.

Meaningful evaluation is at the center of a performance management system, and, as discussed in the Critical Attention section of this report, Utah has considerable work to do to ensure that evaluations measure teacher effectiveness. But as the state moves forward, it should keep in mind the larger goal of creating a performance management system.

A successful performance management system—one that gives educators the tools they need to be effective, supports their development, rewards their accomplishments and holds them accountable for results—is essential to the fundamental goal of all education reform: eliminating achievement gaps and ensuring that all students achieve to their highest potential.

<sup>1</sup> Includes changes to state policies regulating the frequency of evaluations for probationary and nonprobationary teachers as well as requirements that teacher evaluations consider classroom effectiveness.

### 2. Pension Reform

State pension systems are in need of a fundamental overhaul. In an era when retirement benefits have been shrinking across industries and professions, teachers' generous pensions remain fixed. In fact, nearly all states, including Utah, continue to provide teachers with a defined benefit pension system, an expensive and inflexible model that neither reflects the realities of the modern workforce nor provides equitable benefits to all teachers.

Unlike most states, Utah will soon begin offering teachers the choice to enroll in a defined contribution system. However, the state will continue to offer a model with a defined benefit, which greatly disadvantages teachers who move from one state to another, career switchers who enter teaching and those who

\$624,786

Amount Utah pays for each teacher that retires at an early age with unreduced benefits until that teacher reaches age 654

teach for fewer than 20 years. For these reasons alone, reform is needed. But the dubious financial health of states' pension systems makes this an area in need of urgent attention. Some systems carry high levels

of unfunded liabilities, with no strategy to pay these liabilities down in a reasonable period, as defined by standard accounting practices. According to Utah's 2009 actuarial report, its system was only 85.6 percent funded.¹ When funding cannot keep up with promised benefits, a new approach is clearly needed. And changes must be made immediately to alter the long-term outlook for the state, as it is exceedingly difficult to reduce promised benefits once a teacher is a member of the system—regardless of whether the state can afford them.

Systemic reform should lead to the development of a financially sustainable, equitable pension system that includes the following:

- The option of a fully portable pension system as their primary pension plan, either through a defined contribution plan or a defined benefit plan that is formatted similar to a cash balance plan<sup>2</sup>
- Reasonable district and teacher contribution rates
- Vesting for teachers no later than the third year of employment
- Purchase of time in a defined benefit plan for unlimited previous teaching experience at the time of employment, as well as for all official leaves of absence, such as maternity and paternity leave
- The option in a defined benefit plan of a lump-sum rollover to a personal retirement account upon employment termination, which includes teacher contributions and all accrued interest at a fair interest rate
- Funds contributed by the employer included in withdrawals due to employment termination
- A neutral formula for determining pension benefits, regardless of years worked (eliminating any multiplier that increases with years of service or longevity bonuses)<sup>3</sup>
- Eligibility for retirement benefits based solely on age, not years of service, in order to avoid disincentives for effective teachers to continue working until conventional retirement age.
- Public Fund Survey, http://www.publicfundsurvey.org/www/publicfundsurvey/ actuarialfundinglevels.asp.
- 2 A cash balance pension plan is a benefit plan in which participants, and their employers if they choose, periodically contribute a predetermined rate to employees' individual pension accounts. These contributions grow at a guaranteed rate. Upon retirement or withdrawal, the participant may receive the full account balance in one lump sum, so long as the benefits are fully vested. (Based on Economic Research Institute, http://www.eridlc.com/resources/index.cfm?fuseaction=resource.glossary)
- 3 The formula may include years of service (i.e., years of service x final average salary x benefit multiplier), but other aspects of the benefit calculation, such as the multiplier, should not be dependent on years of service.
- 4 Calculations are based on a teacher who starts teaching at age 22, earns a starting salary of \$35,000 that increases 3 percent per year, and retires at the age when he or she is first eligible for unreduced benefits. Calculations use the state's benefit formula for new hires, exclude cost of living increases, and base the final average salary on the highest three years. Age 65 is the youngest eligibility age for unreduced Social Security benefits.

### 3. Certification of Special Education Teachers

States' requirements for the preparation of special education teachers are one of the most neglected and dysfunctional areas of teacher policy. The low expectations for what special education teachers should know stand in stark contradiction to state and federal expectations that special education students should meet the same high standards as other students.

Utah, like most states, sets an exceedingly low bar for the content knowledge that special education teachers must have. The state does not require that elementary special education teachers garner appropriate subject-matter knowledge relevant to the elementary classroom through mandated coursework or demonstrate content knowledge on a subject-matter test. Further, although secondary special education teachers must be highly qualified in every subject they will teach, the state's current policy of requiring a passing score on a board-approved content test, a major or its equivalent, or "documentation of satisfactory professional development and experience" only ensures that teacher preparation programs graduate teachers who are highly qualified in one core academic area.

But the problem requires a more systemic fix than just raising content requirements for elementary and secondary special education teachers. The overarching issue is that too many states, including Utah, make no distinction between elementary and secondary special education teachers, certifying all such teachers under a generic K-12 special education license. While this broad umbrella may be appropriate for teachers of low-incidence special education students, such as those with severe cognitive disabilities, it is deeply problematic for high-incidence special education students, who are expected to learn grade-level content. And because the overwhelming majority of special education students are in the high-incidence category, the result is a fundamentally broken system.

It is virtually impossible and certainly impractical for states to ensure that a K-12 teacher knows all the subject matter he or she is expected to be able to teach. And the issue is just as valid in terms of pedagogical knowledge. Teacher preparation and licensure for special education teachers must distinguish between elementary and secondary levels, as they do for general education. The current model does little to protect some of our most vulnerable students.



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Arizona		_	
Arkansas			
California			
Colorado			
Connecticut			
Delaware			
District of Columbia			
Florida			
Georgia			
Hawaii			
Idaho Illinois			
Indiana			
lowa			
Kansas			
Kentucky			
Louisiana			
Maine			
Maryland			
Massachusetts			
Michigan			
Minnesota			
Mississippi			
Missouri			
Montana Nebraska			
Nevada			
New Hampshire			
New Jersey			
New Mexico			
New York			
North Carolina			
North Dakota			
Ohio			
Oklahoma			
Oregon			
Pennsylvania <sup>1</sup>			
Rhode Island South Carolina			
South Carolina South Dakota			
Tennessee			
Texas			
UTAH			
Vermont			
Virginia			
Washington			
West Virginia			
Wisconsin			
Wyoming			
	22	17	12

<sup>1</sup> New policy goes into effect January 1, 2013.

