

## STATEMENT OF EMERGENCY

### 16 KAR 9:030E.

This emergency administrative regulation is being promulgated in order to meet an imminent deadline for the promulgation of an administrative regulation that is established by state statute. During the 2024 legislative session, the General Assembly passed Senate Bill 265 and the Governor signed it into law on April 9, 2024. This legislation, which became effective on the Governor's signature, amends KRS 161.048(4) to remove the requirement of an offer of employment prior to issuance of the certificate and require one (1) year of successful teaching experience and recommendation of the employing school district prior to issuance of the professional certificate. Per KRS 161.048(1)(e) the Education Professional Standards Board (EPSB) has the authority to promulgate administrative regulations establishing the standards and procedures for the Option 3 alternative route to certification. Since this emergency legislation became effective upon the Governor's signature, the emergency administrative regulation is necessary to establish the application requirements for certification under the Option 3 alternative route to certification. This emergency administrative regulation will be replaced by an ordinary administrative regulation because the requirements for certification under this route are expected to remain in statute. The ordinary administrative regulation is identical to this emergency administrative regulation.

*ANDY BESHEAR, Governor*

*JUSTIN MITCHELL, Chair*

**EDUCATION AND LABOR CABINET**  
**Education Professional Standards Board**  
**(Emergency Amendment)**

**16 KAR 9:030E. Professional and provisional certificate for college faculty.**

RELATES TO: KRS 161.020, 161.028, 161.030, 161.048

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.048

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.048 authorizes the eligibility requirements for a candidate seeking to participate in an alternative teacher preparation program. This administrative regulation establishes the requirements for the professional and provisional certificate for college faculty.

Section 1. Prerequisites.

- (1) A two (2) year provisional certificate for college faculty may be issued to an eligible candidate who meets the requirements of KRS 161.048(4).
- (2) Application for a provisional certificate shall be submitted to the EPSB and shall:
  - (a) Contain proof of a master's degree or doctoral degree in the academic content area for which certification is sought;
  - (b) Contain verification of qualifying teaching experience from a regionally or nationally accredited institution of higher education; and
  - (c) Be in compliance with 16 KAR 2:010, Section 3(1).
- (3) The provisional certificate for college faculty shall be issued for the content area and grade range corresponding to the candidate's degree and teaching experience.
- (4) The provisional certificate for college faculty shall be valid for teaching the content area and grade range indicated on the face of the certificate.

Section 2. Renewal.

- (1) If a candidate does not complete one (1) year of successful teaching experience during the initial provisional certificate, the candidate may apply to renew the provisional certificate.
- (2) Application for renewal of the two (2) year provisional certificate for college faculty shall be submitted to the EPSB and be in compliance with 16 KAR 2:010, Section 3(1).

Section 3. Equivalent College Teaching Experience.

- (1) Ninety (90) semester credit hours taught at the postsecondary level at a regionally- or nationally-accredited institution of higher education shall be accepted as the equivalent of five (5) years of full-time teaching experience.
- (2) The ninety (90) hours of college teaching experience may:
  - (a) Be accumulated at more than one (1) institution of higher education; and
  - (b) Include part-time teaching or adjunct teaching positions.
- (3)
  - (a) A full-time faculty member's experience at a regionally- or nationally-accredited institution of higher education may include the following activities in lieu of regular full-time teaching experience as established in subsection (1) of this section:
    1. Action research;
    2. Service to the P-12 schools; or
    3. Other activities undertaken as part of a full-time faculty member's assigned responsibilities at the institution of higher education.
  - (b) The head of the faculty member's unit shall verify the validity of the experiences or responsibilities in this subsection in lieu of regular full-time teaching load on a per semester basis.

Section 4.

- (1) Upon completion of one (1) year of successful teaching experience on the provisional certificate for college faculty, the candidate may apply for the professional certificate.
- (2) Application for the professional certificate shall be submitted to the EPSB and shall:
  - (a) Contain proof of successful completion of one (1) year of teaching experience;
  - (b) Contain a recommendation from the employing school district; and
  - (c) Be in compliance with 16 KAR 2:010, Section 3(1).

*JUSTIN MITCHELL, Board Chair*

APPROVED BY AGENCY: May 31, 2024

FILED WITH LRC: May 31, 2024 at 1:30 p.m.

**PUBLIC HEARING AND COMMENT PERIOD:** A public hearing on this proposed administrative regulation shall be held on July 29, 2024, at 10:00 a.m. in the State Board Room, Fifth Floor, 300 Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this meeting shall notify this agency in writing five working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through July 31, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to:

**CONTACT PERSON:** Todd Allen, General Counsel, Kentucky Department of Education, 300 Sower Boulevard, 5th Floor, Frankfort, Kentucky 40601, phone 502-564-4474, fax 502-564-9321; email [regcomments@education.ky.gov](mailto:regcomments@education.ky.gov).