



**EDUCATION PROFESSIONAL STANDARDS BOARD**

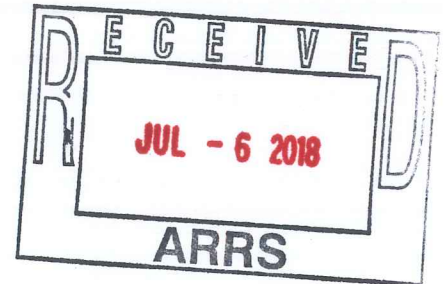
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**Matthew G. Bevin**  
Governor

**James W. Adams**  
Executive Director

July 6, 2018

Senator Ernie Harris, Co-Chair  
Representative David Hale, Co-Chair  
c/o Emily Caudill, Regulation Compiler  
Administrative Regulation Review Subcommittee  
Legislative Research Commission  
029, Capitol Annex  
Frankfort KY 40601



Re: 16 KAR 5:030. Proficiency Evaluation

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 16 KAR 5:030, the Education Professional Standards Board proposes the attached amendment to 16 KAR 5:030.

Sincerely,

Cassie L. Trueblood, General Counsel  
Education Professional Standards Board  
100 Airport Road, 3<sup>rd</sup> Floor  
Frankfort, KY 40601

## Suggested Substitute

### EDUCATION AND WORKFORCE DEVELOPMENT CABINET

#### Education Professional Standards Board

(As Amended at ARRS, July 10, 2018)

#### 16 KAR 5:030. Proficiency evaluation.

RELATES TO: KRS 161.020, ~~[161.025,]~~ 161.030

STATUTORY AUTHORITY: KRS ~~[156.070,]~~161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020,~~[161.025,]~~and 161.030 require that educators~~[teachers]~~ and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation~~[prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education]~~. The traditional~~[and formal]~~ means of recognizing competency and proficiency for educator~~[teacher]~~ preparation is by earning academic~~[in terms of standard college credits and the teacher certification requirements are generally stated in terms of college] credits~~. This administrative regulation provides an alternate [a] means for recognizing competency and proficiency~~[that might have been attained in some manner]~~ other than academic credit~~[for educators already holding initial certification]~~~~[college preparation]~~.

Section 1. Definitions. (1) "Approved program of preparation" means a program approved by the Education Professional Standards Board (EPSB) *pursuant to [under]* 16 KAR 5:010 for a specific certification.

(2) "Comparable experience" means professional activity of equivalent quality requiring similar skills and knowledge.

(3) "Educator preparation provider" or "EPP" *for purposes of this regulation* means a Kentucky-based college or university that offers educator preparation programs approved by the Board.

(4) "Proficiency evaluation" means the process by which an EPP may evaluate an educator ~~[who currently holds a valid Kentucky professional certificate pursuant to [in accordance with] 16 KAR 2:010]~~ seeking *initial certification*, another certification area, endorsement, or extension to recognize competency and proficiency~~[A state accredited teacher education institution may evaluate and accept competency for teacher certification purposes for any of the specific curriculum requirements when the teacher candidate can demonstrate proficiency by reason of previous education, unusual experience, or proficiency examination at a level comparable to the usual requirements in that curriculum area]~~.

Section 2. (1) An EPP shall be required to meet the following requirements before conducting proficiency evaluations:

(a) The EPP shall provide notice to the EPSB of its intent to conduct proficiency evaluations;  
and

(b) The EPP shall provide to the EPSB a plan for approval that sets forth the process by which the EPP shall conduct proficiency evaluations. The evaluation must assess a candidate's attainment of the applicable educational program standards.

(2) Failure to satisfy the requirements of this administrative regulation may result in the following action:

(a) The board may take action against the EPP's state accreditation; and

(b) The board may notify the Council of Postsecondary Education that the EPP has not met the requirements of KRS 164.097.

Section 3. Educators holding a valid Kentucky certificate seeking another certification area shall not be required to meet the admission requirements **established** in 16 KAR 5:020(1)(2)(b) and 16 KAR 5:020(1)(3)(b).

Section 4. The EPP shall only conduct proficiency evaluations for the EPP's existing programs approved by the board.

Section 5. When conducting a proficiency evaluation, the EPP may assess proficiency by considering any of the following factors:

(1) Previous education;

(2) Comparable experience; or

(3) Proficiency assessment at a level comparable to the usual requirements in the content area in which the educator is seeking certification.

**Section 6. Initial Certification for Teacher Candidates ~~[teacher candidates]~~. (1) An EPP may evaluate and accept competency for initial teacher certification purposes for any of the specific curriculum requirements when the teacher candidate can demonstrate proficiency by reason of previous education, unusual experience, or proficiency examination at a level comparable to the usual requirements in that curriculum area.**

**(2) The teacher candidate shall be required to:**

**(a) Satisfy the applicable admission requirements ~~established~~ ~~[set forth]~~ in 16 KAR 5:020; and**

**(b) Meet the internship requirements ~~established~~ ~~[set forth]~~ in 16 KAR 7:010 or 16 KAR 7:020.**

**(3) The EPP shall be required to report to EPSB ~~pursuant to~~ ~~[in accordance with]~~ the requirements of 16 KAR 5:020 the candidates for whom the EPP completed a proficiency evaluation.**

**(4) The teacher candidate may demonstrate proficiency of the requirements ~~established~~ ~~[set forth]~~ in 16 KAR 5:040 by reason of previous experience.**

**(5) The EPP shall be responsible for recommending that the EPSB issue certification.**

**(6) The EPSB shall issue certificate for teacher candidates ~~pursuant to~~ ~~[in accordance with]~~ the requirements of 16 KAR 2:010.**

Section 7[6]. Additional Certification for Certified Educators. (1) After completing the proficiency evaluation, the EPP shall:

(a) Prepare an educator learning plan (ELP) for the certified educator outlining all necessary requirements to complete a program for additional content area or grade range along with a timeline for completion not to exceed two (2) years; and

(b) Recommend that the EPSB issue a one (1) year provisional certificate ***pursuant to [in accordance with]*** 16 KAR 2:010.

(2) Upon successful completion of the ELP, the EPP shall recommend that the EPSB issue the educator a professional certificate, a certificate endorsement, or a certificate extension in the additional area ***pursuant to [in accordance with]*** 16 KAR 2:010, Section 4.

Section ***8[7]***. (1) The EPSB shall issue a certificate endorsement or extension ***pursuant to [in accordance with]*** the process ***established [set forth]*** in 16 KAR 2:010, Section 3, upon receipt of the educator's request for certification; proof that the educator has successfully achieved a passing score on any required assessment; and recommendation of the EPP.

(2) The EPSB shall not require an educator to complete Kentucky Teacher Internship Program (KTIP) for the issuance of an endorsement or an extension if the certified educator previously completed KTIP for initial certification.

Section ***9[8]***. Recency. (1) The certified educator seeking another certification shall submit a request for certification no later than five (5) years after successfully completing all requirements set forth in the ELP; or

(2) Within twelve (12) months after the EPP discontinues the educator preparation program identified in the ELP, whichever occurs first.

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