

## **16 KAR 1:040. Teachers' National Certification Incentive Trust Fund.**

RELATES TO: KRS 157.395, 161.131, 161.132, 161.133, 161.134

STATUTORY AUTHORITY: KRS 161.133(3), 161.134(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.133 establishes the Teachers' National Certification Incentive Trust Fund. KRS 161.133(3) requires the Education Professional Standards Board to promulgate an administrative regulation to establish procedures for the administration of the fund and the requirements for participating teachers and local boards of education. KRS 161.134(3) requires the Education Professional Standards Board to promulgate an administrative regulation to establish the parameters for mentoring programs utilizing national board certified teachers. This administrative regulation establishes participation requirements and payment procedures relating to this fund.

Section 1. Definitions. (1) "Advanced candidate" means a candidate enrolled in the incentive program who has failed to successfully complete the assessments for national board certification during the first year of enrollment.

(2) "Assessment" means the certification requirements established by the National Board for Professional Teaching Standards.

(3) "Candidate" means a Kentucky teacher who has successfully registered with the National Board for Professional Teaching Standards to complete the assessments in a given application period.

(4) "Cohort" means a group of school districts, collaborating districts, or educational cooperatives.

(5) "Incentive Program" means the Teachers' National Certification Incentive Trust Fund established under the provisions of KRS 161.133.

Section 2. (1) To apply to receive payments from the incentive program, a Kentucky teacher shall register with the National Board for Professional Teaching Standards by January 31 of the calendar year for which the teacher is seeking payment.

(2) Upon receipt of notification of enrollment from the National Board for Professional Teaching Standards, the Education Professional Standards Board shall send the candidate written confirmation of enrollment in the Teacher's National Certification Incentive Trust Fund and a Statement of Intent Form.

(3) The candidate shall provide the following information on the Statement of Intent Form:

(a) The signature of the district superintendent;

(b) The candidate's actual out-of-pocket expenses toward the certification fee; and

(c) Information about each third-party payment made on behalf of the teacher toward the certification fee by a local school district, the Candidate Subsidy Program offered by the National Board for Professional Teacher Standards, or other educational or noneducational entity.

(4) The candidate shall return the completed Statement of Intent Form to the Education Professional Standards Board within thirty (30) calendar days.

(5) The Education Professional Standards Board shall indicate the return due date for each Statement of Intent Form mailed to a candidate.

(6) A candidate that fails to return the completed Statement of Intent Form by the indicated due date shall not be eligible for incentive program funds in the current fiscal year.

Section 3. (1) A candidate enrolled for participation in the incentive program under Section 2 of this administrative regulation shall submit the required portfolio to the National Board for Professional Teaching Standards by the required due date established by the National Board.

(2) By June 1, the Education Professional Standards Board shall notify the candidate of the amount of payment to be made under this administrative regulation.

Section 4. (1) After the candidate submits the portfolio, the Education Professional Standards Board shall send the superintendent a payment voucher, Form NBC-2. The superintendent, on behalf of the local board of education, shall submit Form NBC-2 for reimbursement for substitute teachers employed to allow up to five (5) days of released time for the teacher pursuing national board certification who has been enrolled for participation in the incentive program under Section 2 of this administrative regulation.

(2) The superintendent shall submit payment voucher Form NBC-2 by June 15 following the school year in which the released time was used by the teacher pursuing national board certification.

(3) The teacher pursuing national board certification shall adhere to the local board of education policy or procedure for the procurement of substitute teachers.

Section 5. (1) A candidate who does not successfully complete the certification process of the National Board for Professional Teaching Standards in the first year may choose to bank the scores and retake the assessment or a portion of the assessment in a subsequent year.

(2) An advanced candidate who is banking scores or retaking the assessment shall:

(a) Complete the registration process established in Section 2 of this administrative regulation; and

(b) Submit the written documentation established in Section 3(1) of this administrative regulation.

(3)(a) The employing school district of an advanced candidate who is banking scores or retaking the assessment may request reimbursement for compensation of substitute teachers employed to allow released time for the advanced candidate pursuing national board certification.

(b) The total reimbursement for released time shall not exceed five (5) days for the two (2) year period.

(c) Upon notification of receipt of the portfolio by the National Board for Professional Teaching Standards, the Education Professional Standards Board shall mail the advanced candidate Form NBC-2 indicating the number of reimbursable released days available to the candidate in the second year. A copy of Form NBC-2 shall be sent to the employing school district.

(d) Form NBC-2 shall be returned by the superintendent, on behalf of the employing local board of education, to the Education Professional Standards Board by June 15 following the school year in which the advanced candidate pursuing national board certification used the released time.

Section 6. (1) Upon receipt of confirmation of the successful completion of national board certification from the National Board for Professional Teaching Standards, the Education Professional Standards Board shall issue reimbursement for actual out-of-pocket expenses up to seventy-five (75) percent of the initial certification fee.

(2) The Education Professional Standards Board shall not reimburse a teacher for any fees associated with banking scores or retaking the assessment.

(3) Based upon funding from the Kentucky General Assembly, the Education Professional Standards Board may limit candidate participation and payments to advanced candidates. All allocated funds that are not expended in the current fiscal year shall be deposited into the incentive trust fund for use by candidates in succeeding fiscal years.

(4) The Education Professional Standards Board shall only authorize payment for which

other funds, other than a repayable loan, have not been received.

(5) If sufficient funds are not available to fully fund all of the payments to all candidates in a given year under Sections 3 and 4 of this administrative regulation, the Education Professional Standards Board shall prorate the specific types of payments to ensure that all candidates enrolled in the incentive program in a given year are benefited equally. In prorating the payments to incentive program participants, the Education Professional Standards Board shall prioritize payments to all candidates in the following manner:

(a) Reimbursement of up to seventy-five (75) percent of the national board certification fee paid by candidates or advanced candidates enrolled in the trust fund shall be the first priority.

(b) Reimbursement to the district for substitute teachers used to provide up to five (5) days of released time for the candidate shall be the second priority.

(c) Payment to candidates of the \$200 per day for two (2) days shall be the third priority.

(d) Reimbursement to the district for substitute teachers used to provide released time for advanced candidates shall be the fourth priority.

(e) Payment to advanced candidates of the \$200 per day for two (2) days shall be the final priority.

(6) If there is insufficient funding, the Education Professional Standards Board shall, taking into consideration the priorities established under subsection (5) of this section, pay only as much of the payments under subsection (5)(b) of this section as funds will allow, before paying any payments under subsection (5)(c), (d), or (e) of this section.

Section 7. (1) A local school district or cohort may submit a proposal to the Education Professional Standards Board for a stipend for a national board certified teacher who serves as a mentor to candidates.

(2) The proposal shall be submitted on or before June 1 preceding the school year in which the mentoring will occur.

(3) The proposal shall be reviewed by the Education Professional Standards Board based upon adherence with the information contained within the request for proposals and the following documented components:

(a) Evidence of cooperation with the applicable school-based decision making councils;

(b) Identification of each teacher the national board certified teacher will be mentoring;

(c) The length and structure of the mentoring program;

(d) The goals and objectives of the mentoring program;

(e) The mentoring program's impact on student learning;

(f) The mentoring program's effect on teacher participants' professional growth and development; and

(g) The stipend amount requested for the national board certified teacher serving as the mentor.

(4) A school district or cohort mentoring program approved by the Education Professional Standards Board shall submit a summary at the conclusion of the program detailing how the components identified in subsection (3) of this section were addressed and listing the mentoring program's accomplishments.

(5)(a) A national board-certified teacher who serves as a mentor in a program approved under this section of this administrative regulation shall receive a stipend of \$500 for each teacher the national board-certified teacher is mentoring.

(b) A cohort model mentoring program may request additional funds to support the cohort and its activities.

(c) The Education Professional Standards Board shall not use more than twenty-five (25) percent of the allotment from the General Assembly to cover the cost of mentoring.

(6) A national board-certified teacher who is teaching full time shall not mentor more than six (6) teachers pursuing national board certification in a school year.

Section 8. (1) Payments made from this fund under the requirements of this administrative regulation shall be disbursed directly to the local school district in which the teacher pursuing national board certification is employed or to the fiscal agent of a cohort model.

(2) The local school district or the fiscal agent of a cohort model shall be responsible for deducting any relevant withholdings prior to disbursing the funds to the teacher.

(3) The local school district shall be responsible for the salary supplement established in KRS 157.395 for a teacher obtaining national board certification.

Section 9. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) Statement of Intent Form, revised 9/2003; and

(b) Form NBC-2, revised 9/2003;.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (27 Ky.R. 1120; Am. 1478; eff. 12-21-2000; 28 Ky.R. 150; eff. 9-5-01; Recodified from 704 KAR 20:750, 7-2-02; 30 Ky.R. 370; 842; eff. 10-31-03; Crt eff. 2-27-2020.)