

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

**16 KAR 9:080. University-based alternative certification program.**

RELATES TO: KRS 156.111, 160.345(2)(h), 161.027, 161.028(1)(k), (s), (t), 161.030(11), 161.048, 161.1211, 34 C.F.R. 300.156(c)(2)

STATUTORY AUTHORITY: KRS 161.027(1), 161.048(1)(d), (7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.048(1)(d) and (7) require the Education Professional Standards Board (EPSB) to promulgate administrative regulations establishing the standards and procedures for a university alternative certification option for teacher and administrator certification. This administrative regulation establishes the requirements for entry and completion of the teacher and administrator university-based alternative certification options, the responsibilities of the employing school or school district, and the responsibilities of the approved college or university alternative program.

**Section 1. Definitions.**

(1) "Alternative certification administrator program" means a college or university post baccalaureate or post masters administrator preparation program for an individual enrolled concurrently with employment in a local school district as an assistant principal, principal, assistant superintendent, school counselor, director of special education, director of pupil personnel, supervisor of instruction, or superintendent.

(2) "Alternative certification teacher program" means a college or university post baccalaureate teacher preparation program for an individual enrolled concurrently with employment as a teacher.

**Section 2. Admission Requirements.**

(1) An applicant for an alternative certification teacher program shall meet the admission standards for an initial certification program established in 16 KAR 5:020.

(2) An applicant for an alternative certification administrator program shall meet the admission standards for the corresponding administrator certification program established in 16 KAR Chapter 3.

**Section 3. University Requirements for Alternative Certification Teacher Program.**

(1) An accredited college or university seeking to offer an alternative certification teacher program shall apply to the EPSB for program approval in accordance with 16 KAR 5:010.

(2) In addition to the standards for program approval established in 16 KAR 5:010, the educator preparation provider seeking alternative certification teacher program approval shall design the alternative certification teacher program to provide a candidate with the coursework and mentoring necessary to permit a candidate to maintain employment in an eligible position and to successfully complete any applicable assessments, ~~[including internship programs,]~~ within a period of three (3) years for those enrolled in an alternative certification teacher program for teachers of exceptional children or interdisciplinary early childhood education employed in a public school, or a period of five (5) years for all other alternative certification teacher programs.

(3) Upon approval, the alternative certification teacher program unit shall:

(a) Assess a candidate's educational background and develop a plan of coursework that shall adequately prepare the candidate for successful completion of the requirements for program completion and certification for the areas and grade ranges that correspond with the candidate's school placement;

- (b) Provide a candidate written and dated documentation of eligibility for the university alternative certification teacher program so that the candidate may be considered for employment pursuant to KRS 160.345(2)(h);
  - (c) Ensure that a candidate begins coursework no later than ninety (90) days from the date the eligibility notice is issued;
  - (d) Develop a written agreement to provide, in collaboration with the administration of the candidate's employing school, mentoring to the candidate in the employment setting which shall include:
    - 1. A minimum of fifteen (15) hours of annual observation utilizing university faculty and a district-based mentor of the candidate practicing instruction in the classroom, as follows:
      - a. A minimum of five (5) hours of observation by university faculty;
      - b. A minimum of five (5) hours of observation by a district-based mentor; and
      - c. A minimum of five (5) hours of observation by either the university faculty or the district-based mentor;
    - 2. A description of how support shall be offered to the candidate during in-class and out-of-class time to assist the candidate in meeting the teacher's instructional responsibilities;
    - 3. The name, contact person, and role for the collaborating educator preparation provider mentor; and
    - 4. The name and role of all school district mentor teachers;
  - (e) Establish a process to maintain regular communication with the employing school so that the educator preparation provider and employing school may assist the candidate as needed and address identified areas of improvement; and
  - (f) Notify the EPSB in writing if a candidate's employment in a covered position or enrollment in the alternative certification teacher program permanently ceases.
- (4) Student teaching shall not be required for program completion.

#### Section 4. Temporary Provisional Certificate for Teaching.

- (1) The temporary provisional certificate for teaching shall be issued and renewed in accordance with KRS 161.048(7).
- (2) The temporary provisional certificate for teaching shall be issued in accordance with a grade level and specialization as recommended by the educator preparation provider and valid for employment consistent with the area of certification being sought through the preparation program.
- (3) The temporary provisional certificate for teaching shall be issued at the rank corresponding to the degree held by the teacher applicant in accordance with the requirements established in KRS 161.1211 and 16 KAR Chapter 8.

#### Section 5. Issuance of a Temporary Provisional Certificate for Teaching.

- (1) Prior to seeking employment in a Kentucky public school, a candidate shall request from the educator preparation provider written and dated documentation of eligibility for the alternative certification teacher program to provide to school districts pursuant to KRS 160.345(2)(h).
- (2) Prior to employment, a superintendent, on behalf of the employing local board of education, shall be responsible for requesting the temporary provisional certificate.
- (3) The candidate shall submit to the EPSB an official college transcript from each college or university attended.
- (4) The candidate shall demonstrate compliance with 16 KAR 2:010, Section 3(1).
- (5) The employing school district shall submit a completed and signed copy of the mentoring collaboration agreement with the alternative certification teacher program as required by Section 3(3)(d) of this administrative regulation.

(6) The educator preparation provider shall submit a recommendation for the grade level and specialization of the temporary provisional certificate.

#### Section 6. Requirements for Renewal of the Temporary Provisional Certificate for Teaching.

(1) A candidate shall be eligible for renewal of the temporary provisional certificate upon application to the EPSB, compliance with 16 KAR 2:010, Section 3(1), and successful completion of the following requirements:

(a) Evidence of employment in a Kentucky school district or regionally- or nationally accredited nonpublic school in the content area or areas indicated on the initial certificate; and

(b) Recommendation from the educator preparation provider based on continued enrollment, completion of annual observation hours, and progress towards the completion of the alternative teacher preparation program.

~~[(2)] [If a candidate is required to complete an internship in accordance with KRS 161.030, the candidate shall complete the required assessments as established in 16 KAR 6:010 prior to issuance of the final temporary provisional certificate and shall complete the internship during the final temporary provisional certificate.]~~

~~[(3)]~~ (2) A candidate for exceptional children or interdisciplinary early childhood certification employed in a public school may only renew the temporary provisional certificate two (2) times.

~~[(4)]~~ (3) All other alternative certification teacher candidates may renew the temporary provisional certificate four (4) times.

#### Section 7. Alternative Certification Teacher Program Completion Requirements.

(1) An applicant for teacher certification shall meet all certification requirements for the corresponding certificate established in 16 KAR Chapter 2 and the assessment requirements established in 16 KAR 6:010.

(2) Upon completion of all program requirements of the university based alternative teacher program, the candidate may apply to the EPSB for the professional certificate.

(3) Upon application to the EPSB, compliance with 16 KAR 2:010, Section 3(1), recommendation of the employing school district, and verification that a candidate has met all eligibility requirements for certificate issuance, the EPSB shall issue a professional certificate.

#### Section 8. University Requirements for an Alternative Certification Administrator Program.

(1) An accredited college or university seeking to offer an alternative certification administrator program shall apply to the EPSB for program approval in accordance with 16 KAR 5:010.

(2) In addition to the standards for program approval established in 16 KAR 5:010, the educator preparation provider seeking alternative certification administrator program approval shall design the alternative certification administrator program to provide a candidate with the coursework and mentoring appropriate to permit a candidate to maintain employment in an eligible position and successfully complete any applicable assessments, including any internship or training programs, within a period of two (2) years for those enrolled in an alternative certification administrator program.

(3) Upon approval, the alternative certification administrator program unit shall:

(a) Assess a candidate's educational background and develop a plan of coursework that shall adequately prepare the candidate for successful completion of the requirements for program completion and certification for the areas and grade ranges that correspond with the candidate's school placement;

(b) Provide a candidate written and dated documentation of eligibility for the university alternative certification administrator program so that the candidate may be considered for employment pursuant to KRS 160.345(2)(h);

- (c) Ensure that a candidate begins coursework no later than ninety (90) days from the date the eligibility notice is issued;
- (d) Develop a written agreement to provide, in collaboration with the administration of the candidate's employing school, mentoring to the candidate in the employment setting which shall include:
  - 1. A minimum of fifteen (15) hours of annual observation utilizing university faculty and a district-based mentor of the candidate practicing in the appropriate administrative role, as follows:
    - a. A minimum of five (5) hours of observation by university faculty;
    - b. A minimum of five (5) hours of observation by a district-based mentor; and
    - c. Five (5) hours of observation by either the university faculty or the district-based mentor;
  - 2. A description of how support shall be offered to the candidate to assist the candidate in meeting the candidate's administrative responsibilities;
  - 3. The name, contact person, and role for the collaborating educator preparation provider mentor; and
  - 4. The name and role of all school district mentors;
- (e) Establish a process to maintain regular communication with the employing school so that the educator preparation provider and employing school may assist the candidate as needed and address identified areas of improvement; and
- (f) Notify the EPSB in writing if a candidate's employment in a covered position or enrollment in the alternative certification administrator program permanently ceases.

#### Section 9. Temporary Provisional Administrative Certificate.

- (1) The temporary provisional administrative certificate shall be issued for a validity period not to exceed one (1) year.
- (2) The temporary provisional administrative certificate may be renewed a maximum of one (1) time.
- (3) The temporary provisional administrative certificate shall be valid for employment in a position consistent with the area of certification being sought through the preparation program.

#### Section 10. Issuance of a Temporary Provisional Administrative Certificate.

- (1) Prior to seeking employment in a Kentucky public school, a candidate shall request from the educator preparation provider written and dated documentation of eligibility for the university based alternative certification administrator program to provide to school districts pursuant to KRS 160.345(2)(h).
- (2) Prior to employment, a superintendent, on behalf of the employing local board of education, shall be responsible for requesting the temporary provisional certificate.
- (3) The candidate shall submit to the EPSB an official college transcript from each college or university attended.
- (4) The candidate shall demonstrate compliance with 16 KAR 2:010, Section 3(1).
- (5) The employing school district shall submit a completed and signed copy of the mentoring collaboration agreement with the university based alternative certification program as required by Section 8(3)(d) of this administrative regulation.
- (6) The educator preparation provider shall submit a recommendation for the specialization of the temporary provisional certificate.

#### Section 11. Requirements for renewal of the temporary provisional certificate for an administrator.

- (1) A candidate shall be eligible for no more than one (1) renewal of the temporary provisional certificate.

(2) A candidate shall be eligible for renewal of the temporary provisional certificate upon application to the EPSB, compliance with 16 KAR 2:010, Section 3(1), and successful completion of the following requirements:

(a) Evidence of employment in a Kentucky school district or nonpublic school in the position indicated on the initial certificate; and

(b) Recommendation from the educator preparation provider based on continued enrollment, completion of annual observation hours, and progress towards the completion of the alternative administrator program.

(3) If a candidate is seeking principal certification and is required to complete an internship in accordance with KRS 161.030, the candidate shall complete the required assessments as established in 16 KAR 3:090 prior to renewal of the temporary provisional certificate and shall complete the internship during the final temporary provisional certificate.

## Section 12. Alternative Certification Administrator Program Completion Requirements.

(1)

(a) During the period of enrollment in the alternative certification administrator program, a candidate seeking superintendent certification and serving in a local school district as a superintendent or assistant superintendent shall successfully complete both the coursework in the institution's alternative certification administrator program as well as the Superintendents Training Program and assessments required in KRS 156.111.

(b) The college or university faculty shall maintain contact with the employing school district and the Kentucky Department of Education regarding the completion of coursework to ensure that a superintendent candidate has completed the required coursework to prepare for the assessments and participation in the Superintendents Training Program.

(2) An applicant for administrator certification shall meet all certification requirements for the corresponding certificate established in 16 KAR Chapter 3.

(3) Upon completion of all program requirements of the alternative administrator program the candidate may apply to the EPSB for the professional certificate.

(4) Upon application to the EPSB, compliance with 16 KAR 2:010, Section 3(1), and verification that a candidate has met all eligibility requirements for certificate issuance, the EPSB shall issue a professional certificate.

*JUSTIN MITCHELL, Board Chair*

APPROVED BY AGENCY: June 4, 2024

FILED WITH LRC: July 8, 2024 at noon

**PUBLIC HEARING AND COMMENT PERIOD:** A public hearing on this proposed administrative regulation shall be held on September 23, 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 September 30, 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).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

**Contact Person: Todd Allen**

**(1) Provide a brief summary of:**

**(a) What this administrative regulation does:**

This administrative regulation establishes the requirements for entry and completion of the teacher and administrator university-based alternative certification options, the responsibilities of the employing school or school district, and the responsibilities of the approved college or university alternative program.

**(b) The necessity of this administrative regulation:**

This administrative regulation is necessary to establish the requirements for the teacher and administrator university-based alternative certification options.

**(c) How this administrative regulation conforms to the content of the authorizing statutes:**

KRS 161.028 requires the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate. KRS 161.028(1)(p) creates the alternative administrator preparation program. KRS 161.048(7) creates the Option 6 alternative route to certification and KRS 161.048(1)(e) requires the Education Professional Standards Board to promulgate administrative regulations establishing standards and procedures for the alternative certification options.

**(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:**

This administrative regulation sets the requirements for the teacher and administrator university-based alternative certification options.

**(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:**

**(a) How the amendment will change this existing administrative regulation:**

The proposed amendment removes the reference to the Kentucky Teacher Internship Program and requires that a candidate for the Option 6 Alternative Route to Teacher Certification have a recommendation from the employing school district prior to issuance of the professional certificate.

**(b) The necessity of the amendment to this administrative regulation:**

This amendment is necessary to comply with the changes to KRS 161.030 and KRS 161.048(7) from Senate Bill 265 of the 2024 Legislative Session.

**(c) How the amendment conforms to the content of the authorizing statutes:**

The amendment sets the requirements for issuance of certification under the Option 6 Alternative Route to Teacher Certification. The amendment adds the requirement that candidates have a recommendation from the employing district prior to issuance of the professional certificate and removes the reference to the Kentucky Teacher Internship Program.

**(d) How the amendment will assist in the effective administration of the statutes:**

This amendment will assist in establishing the requirements for certification under the Option 6 Alternative Route to Teacher Certification.

**(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:**

171 Kentucky school districts and those pursuing the Option 6 Alternative Route to Teacher Certification.

**(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:**

**(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:**

Applicants for professional certification under the Option 6 route will have to have a recommendation from an employing school district for issuance of the certificate. Districts will have to provide a recommendation for those candidates that complete teaching experience under the Option 6 route.

**(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):**

There is no fee established by the Education Professional Standards Board in this regulation.

**(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):**

Compliance will result in issuance of the professional certificate to eligible candidates.

**(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:**

**(a) Initially:**

There are no costs expected to implement this amendment.

**(b) On a continuing basis:**

There are no expected continuing costs with this amendment.

**(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:**

General Fund.

**(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:**

An increase in fees or funding will not be necessary for the Education Professional Standards Board to implement this administrative regulation.

**(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:**

No fees are established or increased by this regulation.

**(9) TIERING: Is tiering applied?**

Tiering is not applicable to the requirements of this regulation because the standards apply to all teachers seeking certification through the Option 6 Alternative Route to Teacher Certification.

## FISCAL IMPACT STATEMENT

**(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation.**

KRS 161.020, KRS 161.028, KRS 161.030, KRS 161.048.

**(2) Identify the promulgating agency and any other affected state units, parts, or divisions:**

The Education Professional Standards Board.

**(a) Estimate the following for the first year:**

**Expenditures:**No additional expenditures are expected to be needed since the systems and staff are already in place for processing applications and issuing certificates under the Option 6 route.

**Revenues:**The amendment to this administrative regulation is not expected to generate any revenue during the first year as this regulation does not create fees.

**Cost Savings:**No cost savings are expected with this amendment.

**(b) How will expenditures, revenues, or cost savings differ in subsequent years?**

Expenditures, revenues and cost savings are not expected to differ in subsequent years.

**(3) Identify affected local entities (for example: cities, counties, fire departments, school districts):**

Public-school districts.

**(a) Estimate the following for the first year:**

**Expenditures:**There are no expected expenditures for districts as there are no fees established in this regulation.

**Revenues:**This regulation sets the standards for certification under the Option 6 route to certification. It will not generate revenues for districts.

**Cost Savings:**There are no cost savings expected with this amendment.

**(b) How will expenditures, revenues, or cost savings differ in subsequent years?**

The expenditures, revenues and cost savings are not expected to differ in subsequent years.

**(4) Identify additional regulated entities not listed in questions (2) or (3):**

Applicants for certification under the Option 6 Alternative Route to Teacher Certification.

**(a) Estimate the following for the first year:**

**Expenditures:**There are no expected expenditures for applicants to comply with this amendment.

**Revenues:**This regulation sets the standards for certification under the Option 6 route. It will not generate revenue for applicants.

**Cost Savings:**There is no expected cost savings since there are no fees created or reduced by this regulation.

**(b) How will expenditures, revenues, or cost savings differ in subsequent years?**

The expenditures, revenues and cost savings are not expected to differ in subsequent years.

**(5) Provide a narrative to explain the:**

**(a) Fiscal impact of this administrative regulation:**

There is no fiscal impact as a result of the proposed amendments to this regulation. No fees are established or increased in this regulation, and there are no fees for temporary provisional certificates. While processing applications and issuing certificates does require staff time and resources from the Education Professional Standards Board, the amendments can be carried out by the existing staff and systems.

**(b) Methodology and resources used to determine the fiscal impact:**

The methodology and resources used to determine that there is no fiscal impact, is looking to current systems and processes to see if additional expenditures or resources are needed to carry out the amendments. Since no additional expenditures or resources are needed to carry out the amendments, and there are no fees established or increased by this regulation, it was determined there is no fiscal impact.

**(6) Explain:**

**(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate)**

There is not an expected major economic impact from this regulation as it does not create additional costs for the Education Professional Standards Board or the regulated entities.

**(b) The methodology and resources used to reach this conclusion:**

The methodology and resources used to determine this is looking to current systems and processes to see if additional expenditures or resources are needed to carry out the amendments. Since no additional expenditures or resources are needed to carry out the amendments, and there are no fees established or increased by this regulation, there will not be a negative or adverse major economic impact.

## FEDERAL MANDATE ANALYSIS COMPARISON

**(1) Federal statute or regulation constituting the federal mandate.**

34 C.F.R. § 300.156 (c)(2) establishes standards for a teacher participating in an alternate route to special education certification program to meet personnel qualifications under the Individuals with Disabilities Education Act.

**(2) State compliance standards.**

The standards for Option 6 contained in this administrative regulation comply with the requirement in 34 C.F.R. § 300.156 (c)(2) because candidates using the alternative pathway to obtain special education certification will receive high-quality professional development, participate in a program of intensive supervision that consists of structured guidance and regular ongoing support, assume functions as a teacher only for a specified period not to exceed three years, and demonstrate satisfactory progress toward full certification.

**(3) Minimum or uniform standards contained in the federal mandate.**

34 C.F.R. § 300.156 (c)(2) requires teachers participating in an alternate route to special education certification program to receive high-quality professional development, participate in a program of intensive supervision that consists of structured guidance and regular ongoing support, assume functions as a teacher only for a specified period not to exceed three years, and demonstrate satisfactory progress toward full certification as prescribed by the State.

**(4) Will this administrative regulation impose stricter requirements, or additional or different responsibilities or requirements, than those required by the federal mandate?**

This regulation will not impose stricter requirements, or additional or different responsibilities or requirements. All candidates in the Option 6 alternative route to certification will receive high-quality professional development, participate in a program of intensive supervision that consists of structured guidance and regular ongoing support, and demonstrate satisfactory progress toward full certification. The regulation will limit temporary provisional certification for special education instructors to three years as required by the federal regulation.

**(5) Justification for the imposition of the stricter standard, or additional or different responsibilities or requirements.**

Not applicable.