EDUCATION AND LABOR CABINET
Education Professional Standards Board
(Amendment)

16 KAR 8:040. Ranking of occupation-based career and technical education teachers.

RELATES TO: KRS 156.095, 161.020, 161.028, 161.030, 161.1211
STATUTORY AUTHORITY: KRS 161.1211, KRS 161.095
CERTIFICATION STATEMENT:
NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.1211 requires the Education Professional Standards Board (EPSB) to rank teachers. KRS 161.1211 requires the EPSB to give consideration to apprenticeship training and industrial experience to occupation-based career and technical education teachers when defining rank change requirements. KRS 161.095 requires the EPSB to promulgate administrative regulations establishing procedures for a teacher to maintain a certificate by successfully completing meaningful continuing education. This administrative regulation defines rank change requirements for occupation-based career and technical education teachers.

Section 1. Overview of Ranking for Occupation-Based Career and Technical Education Teachers.

(1) Equivalent ranking qualifications for occupation-based career and technical education teachers, as provided for in KRS 161.1211, shall be limited to those persons who are serving in positions identified as occupation-based career and technical education and who hold one (1) of the certificates established in 16 KAR 2:020.

(2) Occupation-based career and technical education teachers identified in subsection (1) of this section who achieve certification as principal, supervisor, or coordinator of career and technical education may retain the same rank, or advance to a higher rank, earned on the basis of the provisions of this administrative regulation.

Section 2. Rank III Classification for an Occupation-Based Career and Technical Education Teacher. A Rank III Classification for an occupation-based career and technical education teacher identified in Section 1 of this administrative regulation shall require the following:

(1) A one (1) year provisional certificate for teaching occupation-based career and technical education issued in accordance with 16 KAR 2:020;

(2)

(a) High school graduation; or

(b) The equivalent determined by evidence of an acceptable score on the general education development test administered by an approved testing center; and

(c) ~~[(3)]~~ Four (4) years of successful and appropriate occupational experience in the area to be taught, in accordance with 16 KAR 2:020.

Section 3. Rank II Classification for an Occupation-Based Career and Technical Education Teacher. A Rank II classification for an occupation-based career and technical education teacher identified in Section 1 of this administrative regulation shall require one (1) of the following:

(1) A career and technical education (CTE) ~~[An occupation-based career and technical educator]~~ associate degree issued in accordance with 16 KAR 2:020; ~~[or]~~

(2) An occupation-based associate degree within the specific technical field in which certification was issued in accordance with 16 KAR 2:020; or~~[.]~~

(3) Completion of the Continuing Education Option, after successful completion of the New Teacher Institute (NTI), as provided in Section 5 of this administrative regulation.

Section 4. Rank I Classification for an Occupation-Based Career and Technical Education Teacher. A Rank I classification for an occupation-based career and technical education

teacher identified in Section 1 of this administrative regulation shall require one (1) of the following:

(1) A career and technical education (CTE) degree beyond an associate's degree;

(2) A degree in education, higher than an associate degree and not restricted to elementary education, awarded by a postsecondary institution that has been accredited pursuant to 16 KAR 5:010 and as approved pursuant to 16 KAR 5:015;

(3) An ~~[an]~~ occupation-based degree beyond an associate's degree within the technical field in which certification was issued in accordance with 16 KAR 2:020 and the standards established in 16 KAR 8:020, Section 2; or~~[.]~~

(4) Completion of the Continuing Education Option as provided in Section 5 of this administrative regulation.

Section 5. Continuing Education Option for Occupation-Based Career and Technical Education Teachers.

(1) The Continuing Education Option (CEO) program shall only be used by occupation-based career and technical education teachers who hold a professional teaching certificate to obtain either a Rank II or Rank I and shall require successful completion of each component outlined in this Section of the administrative regulation.

(2) Candidates in the CEO program shall participate in a job-embedded professional development experience with documented outcomes included in a capstone project.

(3) The job-embedded professional development experience shall:

(a) Focus on a professional growth need identified by the CEO program provider with consideration given to the needs identified in the school or district's consolidated plan, student assessment results, and community resources;

(b) Include goals correlated to each of:

1. The teaching standards established in 16 KAR 1:010; or
2. The standards for teacher leader established in 16 KAR 1:016;

(c) Require the candidate to demonstrate that all standards identified in subsection (3)(b) of this Section of the administrative regulation have been met;

(d) Include a combination of:

1. Research;
2. Field-experience; and
3. Professional development activities; and

(e) Cover the areas of:

1. Content exploration and research;
2. Student instruction and assessment; and
3. Professional development or publication.

(4) The job-embedded professional development experience also may include university graduate credit or undergraduate content course credits that meet the goals established in subsection (3) of this Section of the administrative regulation.

(5) The CEO program shall include mentoring of the candidate and oversight by the CEO program provider.

(6) The CEO program capstone project shall provide evidence:

(a) That standards identified in subsection (3)(b) of this section have been met;

(b) Of positive effects on student learning; and

(c) Of professional growth of the candidate over time in:

1. Content knowledge;
2. Instruction and assessment practices; and
3. Professional demonstration or publication skills.

(7) The CEO program provider shall document how the capstone project will be embedded in the program, how it will be scored, and what steps will be taken to protect against plagiarism.

(8) CEO program providers shall report instances of plagiarism to the EPSB for disciplinary action.

(9) The timeline for completion of the CEO program shall not:

(a) Be less than one (1) year; or

(b) Be more than four (4) years.

(10) Upon a candidate's successful completion of the CEO program, the provider shall recommend the candidate to the EPSB for rank change.

(11) If a candidate is unsuccessful, the CEO program provider may work with the candidate to help the candidate successfully complete any deficient areas.

(12) A Kentucky school district, group of Kentucky school districts, or a Kentucky post-secondary institution with an accredited and approved educator preparation program may act as CEO program providers and, to do so, shall first submit a CEO program to the EPSB for approval. A CEO program shall be approved by the EPSB prior to beginning operations or admitting candidates into the program.

(13) To be approved by the EPSB, CEO program submissions shall document:

(a) How the provider will implement the CEO program so as to meet all requirements in this Section of the administrative regulation;

(b) The criteria for a candidate to successfully complete the submitted CEO program;

(c) How the provider will address unsuccessful candidates; and

(d) How the capstone project will be embedded and scored.

L. AMBER SNELL, Board Chair

APPROVED BY AGENCY: October 28, 2026

FILED WITH LRC: October 30, 2026 at 3:55 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on January 25, 2027, at 10 a.m. ET, in the State Board Room, Fifth Floor, 300 Sower Boulevard, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. 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 January 31, 2027. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Todd G. Allen, General Counsel, Kentucky Department of Education, 300 Sower Boulevard, 5th Floor, Frankfort, KY 40601, phone 502-564-4474, fax 502-564-9321, email regcomments@education.ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Todd G. Allen, Phone: 502-564-4474, Email: todd.allen@education.ky.gov

Subject Headings:Education Professional Standards, Education, Education: Career and Technical Education

(1) Provide a brief summary of:

(a) What this administrative regulation does:
This administrative regulation defines rank change requirements for occupation-based career and technical education teachers.

(b) The necessity of this administrative regulation:
This administrative regulation is necessary to define rank change requirements for occupation-based career and technical education teachers.

(c) How this administrative regulation conforms to the content of the authorizing statutes:
KRS 161.1211 requires the Education Professional Standards Board (EPSB) to rank teachers. KRS 161.1211 requires EPSB to give consideration to apprenticeship and industrial experience to occupation-based career and technical education teachers when defining rank change requirements. KRS 161.095 provides that the EPSB shall develop standards for continuing education including university courses, an advanced degree, or a combination of field-based experiences, individual research, and approved professional development.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:
This regulation provides applicants and districts with rank change requirements for occupation-based career and technical education teachers.

(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 amendment adds a Continuing Education Option for ranking of occupation-based career and technical education teachers.

(b) The necessity of the amendment to this administrative regulation:
The primary purpose of this amendment is to add a Continuing Education Option for ranking of occupation-based career and technical education teachers.

(c) How the amendment conforms to the content of the authorizing statutes:
KRS 161.1211 requires the EPSB to rank teachers. KRS 161.095 provides that the EPSB shall develop standards for continuing education including university courses, an advanced degree, or a combination of field-based experiences, individual research, and approved professional development. This administrative regulation sets the requirements for the Continuing Education Option for Rank II or Rank I for occupation-based career and technical education teachers.

(d) How the amendment will assist in the effective administration of the statutes:
This administrative regulation sets the requirements for the Continuing Education Option for Rank II or Rank I for occupation-based career and technical education teachers.

(3) Does this administrative regulation or amendment implement legislation from the previous five years?No.

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

Those affected by this administrative regulation include 171 Kentucky public school districts, the 50 Area Technology Centers (ATCs), the Kentucky Department of Education's Office of Career and Technical Education (OCTE), EPSB, occupation-based teachers seeking a rank change, and entities providing the Continuing Education Option.

(5) Provide an analysis of how the entities identified in question (4) 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 (4) will have to take to comply with this administrative regulation or amendment:

Kentucky school districts, ATCs, and OCTE will be required to recognize rank changes based on the Continuing Education Option. The EPSB will be responsible for approving Continuing Education Options as well as processing rank changes for occupation-based teachers. Entities providing the Continuing Education Option will be required to submit a Continuing Education Option plan to the EPSB for approval.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

The exact cost is unknown as it will be dependent upon how many teachers utilize the Continuing Education Option for rank change and whether use is to pursue a Rank II or Rank I. However, some increased costs to public school districts and ATCs are to be expected as an additional opportunity to move up in rank will likely lead to more rank changes and, thus, higher salaries for occupation-based teachers. Costs will vary for occupation-based teachers seeking a rank change depending on the rank change option pursued as well as for entities developing a Continuing Education Option, although such entities will likely be able to recoup development costs through charges assessed to Continuing Education Option candidates. Minimal administrative burdens may result to the EPSB as well as to Kentucky Department of Education staff implementing the regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

Compliance with this regulation will provide occupation-based teachers an additional option for rank change. Public school districts and ATCs as well as OCTE will have another option for advancing the knowledge and skills of occupation-based educators. Entities desiring to offer a Continuing Education Option will have a process by which to seek EPSB approval to do so.

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

(a) Initially:

There will be unknown costs to the Kentucky Department of Education related to staff time to review proposed Continuing Education Option programs, process rank changes for occupation-based teachers, and otherwise implement this administrative regulation.

(b) On a continuing basis:

There will be unknown costs to the Kentucky Department of Education related to staff time to review proposed Continuing Education Option programs, process rank changes for occupation-based teachers, and otherwise implement this administrative regulation.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

General funds.

(8) 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:

: None.

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

This administrative regulation neither establishes any fees nor directly or indirectly increases any fees.

(10) TIERING: Is tiering applied?

Tiering is not applied. The regulation applies uniformly.

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 161.095.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

Yes, KRS 161.028 requires the Education Professional Standards Board (EPSB) to establish standards and requirements for obtaining and maintaining a teaching certificate. KRS 161.030(1) provides that certificates shall be issued in accordance with the administrative regulations of the EPSB. KRS 161.095 provides that the EPSB shall develop standards for continuing education including university courses, an advanced degree, or a combination of field-based experiences, individual research, and approved professional development.

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

The EPSB, state-operated Area Technology Centers (ATCs), and the Kentucky Department of Education (KDE).

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:There are no significant additional expected expenditures for the state units identified herein during the first year as the systems and staff are already in place for processing applications and issuing certificates for occupational-based teachers.

For subsequent years:There are no significant additional expected expenditures for the state units identified herein during subsequent as the systems and staff are already in place for processing applications and issuing certificates for occupational-based teachers. However, some increased costs to ATCs may result long-term as additional opportunity to move up in rank will likely lead to more rank changes and, thus, higher salaries for occupation-based teachers.

2. Revenues:

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

For subsequent years:The amendment to this administrative regulation is not expected to generate any revenue during subsequent years as this regulation does not create fees.

3. Cost Savings:

For the first year:No cost savings are expected with this amendment.

For subsequent years:No cost savings are expected with this amendment.

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

Kentucky public school districts.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. **Expenditures:**

   For the first year:There are no significant expected expenditures for districts as there are no fees established in this regulation.

   For subsequent years:There are no significant expected expenditures for districts as there are no fees established in this regulation. However, some increased costs to districts may result as additional opportunity to move up in rank will likely lead to more rank changes and, thus, higher salaries for occupation-based teachers.

2. **Revenues:**

   For the first year:As this regulation sets the standards for certification for occupation-based career and technical education teachers, it will not generate revenue for districts.

   For subsequent years:As this regulation sets the standards for certification for occupation-based career and technical education teachers. it will not generate revenue for districts.

3. **Cost Savings:**

   For the first year:No cost savings are expected with this amendment.

   For subsequent years:No cost savings are expected with this amendment

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):
Applicants for occupation-based career and technical education teacher certification as well as entities desiring to offer a Continuing Education Option.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. **Expenditures:**

   For the first year:There are no significant expected expenditures for applicants as there are no fees established in this regulation. However, occupation-based teachers seeking a rank change may incur varying costs depending on the rank change option pursued. Entities developing a Continuing Education Option make incur program development costs, although such costs may be recouped through charges assessed to Continuing Education Option candidates.

   For subsequent years:There are no significant expected expenditures for applicants as there are no fees established in this regulation. However, occupation-based teachers seeking a rank change may incur varying costs depending on the rank change option pursued. Entities developing a Continuing Education Option make incur program development costs, although such costs may be recouped through charges assessed to Continuing Education Option candidates.

2. **Revenues:**

   For the first year:Occupation-based teachers pursuing a rank change through the processes outlined in this administrative regulation may receive increased salaries as rank increases. Entities approved by the EPSB to provide a Continuing Education Option may generate revenue through charges assessed to Continuing Education Option candidates.

   For subsequent years:Occupation-based teachers pursuing a rank change through the processes outlined in this administrative regulation may receive

increased salaries as rank increases. Entities approved by the EPSB to provide a Continuing Education Option may generate revenue through charges assessed to Continuing Education Option candidates.

3. Cost Savings:

For the first year:No cost savings are expected with this amendment.

For subsequent years:No cost savings are expected with this amendment.

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

Some increased costs to Kentucky public school districts and ATCs may result as additional opportunity to move up in rank will likely lead to more rank changes and, thus, higher salaries for occupation-based teachers. Occupation-based teachers seeking a rank change may incur varying costs depending on the rank change option pursued under this administrative regulation. Entities developing a Continuing Education Option make incur program development costs, although such costs may be recouped through charges assessed to Continuing Education Option candidates. Minimal administrative burdens may result to the EPSB and the KDE staff that implement the regulation.

(b) Methodology and resources used to reach this conclusion:

The estimates herein are based on prior program operations.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

The administrative regulation is not expected to have a major economic impact.

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

The estimates herein are based on prior program operations.