

161.030 Certification authority -- Assessments of beginning teachers and teachers seeking additional certification -- Conditional certificates -- Temporary certificates -- Emeritus and exception certificates.

- (1) Notwithstanding the age of the pupil, the certification of all teachers and other school personnel, in public schools only, is vested in the Education Professional Standards Board. When so certified, teachers and other school personnel shall not be required to have licensure, certification, or other forms of approval from any other state agency for the performance of their respective assignments within the system of public schools, except as provided for by law. All certificates authorized under KRS 161.010 to 161.126 shall be issued in accordance with the administrative regulations of the Education Professional Standards Board. After July 15, 1994, all certificate applications and other data collection instruments of the board shall include a request for voluntary information about the applicant's ethnic background. This information shall be available to help local school districts locate minority candidates. A person who holds a certificate prior to this requirement may request that ethnic information be added to his or her file. Nothing in this section shall preclude the right of an individual in a nonpublic school from seeking voluntary certification by the Education Professional Standards Board.
- (2) Certificates shall be issued upon written application and in accordance with statutes and regulations in effect at the time of application to persons who have completed, at colleges, universities, or local school district programs approved by the Education Professional Standards Board for the preparation of teachers and other school personnel, the curricula prescribed by the administrative regulations of the Education Professional Standards Board.
- (3)
 - (a) Certification of all new teachers and teachers seeking additional certification shall require the successful completion of appropriate assessments prior to certification. The assessments shall be selected by the Education Professional Standards Board and shall measure knowledge in the specific teaching field of the applicant, including content of the field and teaching of that content. The Education Professional Standards Board shall determine the minimum acceptable level of achievement on each assessment. The assessments shall measure those concepts, ideas, and facts which are being taught in teacher education programs in Kentucky. Upon successful completion of the assessments and the approved teacher preparation program, a professional certificate valid for five (5) years shall be issued.
 - (b) If an applicant for teacher certification has completed the approved teacher preparation program and has taken but failed to successfully complete the appropriate assessments selected by the Education Professional Standards Board, a conditional certificate may be issued for a period not to exceed one (1) year. The employing school district, in collaboration with the teacher education institution, shall provide technical assistance and mentoring support to the conditionally certified teacher. The teacher shall retake the assessments during the validity period of the conditional certificate. The conditional certificate shall not be reissued. Upon successful completion of the required assessments, a professional certificate valid for five (5) years shall be issued.

The Education Professional Standards Board shall promulgate administrative regulations to establish the standards and procedures for issuance of a conditional certificate.

- (c) If an out-of-state teacher with less than two (2) years' experience comes to Kentucky after the deadline for taking the assessments, a temporary certificate may be issued for a period up to six (6) months. The teacher shall take the assessments during the period of the temporary certificate. If the teacher fails the assessments, the temporary certificate shall be valid only for the current semester. If the teacher passes the assessments, a professional certificate valid for five (5) years shall be issued.
- (4) A reasonable fee to be paid by the teacher and directly related to the actual cost of the administration of the assessments shall be established by the Education Professional Standards Board. Provisions shall be made for persons having less than minimum levels of performance on any assessment to repeat that assessment, and candidates shall be informed of their strengths and weaknesses in the specific performance areas. The Education Professional Standards Board shall provide for confidentiality of the individual assessment scores. Scores shall be available only to the candidate and to the education officials who are responsible for determining whether established certification standards have been met. Scores shall be used only in the assessment for certification of new teachers and of out-of-state teachers with less than two (2) years of teaching experience who are seeking initial certification in Kentucky.
- (5) If an applicant establishes eligibility for a five (5) year professional certificate under the provisions of subsection (3)(a) of this section, the applicant shall also be eligible for the issuance of a certificate for substitute teaching as provided by the administrative regulations of the Education Professional Standards Board.
- (6) (a) The Education Professional Standards Board shall issue a ten (10) year emeritus certificate to an applicant who has:
 - 1. Retired or will retire not more than one (1) year prior to the expiration date of the certificate;
 - 2. Met the requirements to receive an emeritus certificate as set forth in administrative regulation promulgated by the Education Professional Standards Board; and
 - 3. Completed the required application unless the provisions of KRS 161.120 apply.
- (b) The Education Professional Standards Board shall issue a one (1) time five (5) year exception certificate to an individual:
 - 1. Whose certificate has expired;
 - 2. Whose rank upon expiration was Rank I or Rank II;
 - 3. Who has met the requirements to receive an exception certificate as set forth in administrative regulation promulgated by the Education Professional Standards Board;
 - 4. Who completed three (3) years of classroom instruction prior to the certificate's expiration; and

5. Who has completed the required application unless the provisions of KRS 161.120 apply.
- (7) The Education Professional Standards Board shall approve the curricula of any college or university, or of any department thereof, for the training of teachers, and any nontraditional or alternative teacher preparation program offered in a public or private postsecondary education institution, private contractor, or state agency, and shall also approve the curricula of any local district alternative certification program, when the curricula comply with the administrative regulations of the Education Professional Standards Board for the issuance of certificates and when the institution has met the terms and conditions provided in KRS 161.010 to 161.120. Any student who has completed any of these curricula, as approved by the Education Professional Standards Board, and who has completed the prescribed requirements for the issuance of certificates shall be granted a certificate corresponding to the curricula completed.
- (8) The issuance of any certificate, except emergency certificates issued pursuant to KRS 161.100, by the Education Professional Standards Board shall not be dependent upon an offer of employment. The certification process, except for emergency certificates, is independent of any job prospects and certification shall be awarded on the basis of completing a teacher preparation program or an alternative certification pathway and passing required assessments.

Effective: July 15, 2024

History: Amended 2024 Ky. Acts ch. 124, sec. 1, effective July 15, 2024. -- Amended 2021 Ky. Acts ch. 187, sec. 1, effective June 29, 2021. -- Amended 2002 Ky. Acts ch. 288, sec. 1, effective July 15, 2002. -- Amended 2001 Ky. Acts ch. 137, sec. 8, effective June 21, 2001. -- Amended 2000 Ky. Acts ch. 375, sec. 3, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 362, sec. 4, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 343, sec. 5, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 192, sec. 2, effective July 15, 1994; and ch. 417, sec. 1, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 476, Pt. II, sec. 57, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 388, sec. 2, effective July 15, 1988. -- Amended 1986 Ky. Acts ch. 119, sec. 1, effective July 13, 1986. -- Amended 1984 Ky. Acts ch. 396, sec. 1, effective July 13, 1984. -- Amended 1978 Ky. Acts ch. 155, sec. 102, effective June 17, 1978. -- Amended 1972 Ky. Acts ch. 248, sec. 1. -- Amended 1970 Ky. Acts ch. 49, sec. 1. -- Amended 1968 Ky. Acts ch. 152, sec. 117. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4502-1.

2024-2026 Budget Reference. See State/Executive Branch Budget, 2024 Ky. Acts ch. 175, Pt. I, C, 3, (9) at 1835.