

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action Item:

16 KAR 4:060. Certificate Renewals and Teaching Experience, Amendment

Staff Recommendation:

The Education Professional Standards Board (EPSB) should approve the amendment to 16 KAR 4:060 to align with current certification practices and ensure the regulation remains in effect.

Rationale:

The proposed amendment is necessary to ensure that 16 KAR 4:060 remains in effect. The amendment also updates the regulation to align with current certification practices and removes the reference to outdated applications.

Action Question:

Should the EPSB approve the amendment to 16 KAR 4:060?

Applicable Statute or Regulation:

KRS 13A.3102, KRS 13A.3104, KRS 161.028, KRS 161.030, KRS 161.1211, 16 KAR 4:060

History/Background:

Existing Policy: KRS 13A.3102(2) provides that “An ordinary administrative regulation with a last effective date before March 1, 2013, shall expire on March 1, 2020, except as provided by the certification process in KRS 13A.3104.” KRS 13A.3104 sets forth the certification process that an agency must follow to avoid the expiration of an administrative regulation. This process requires the agency to review the administrative regulation in its entirety for compliance with current law governing the subject matter of the administrative regulation and file a letter with the regulations compiler prior to the expiration date, stating whether the administrative regulation shall be amended or remain in effect without amendment. If the certification letter states that the administrative regulation will be amended, the Education Professional Standards Board (EPSB) must file an amendment to the administrative regulation within eighteen (18) months of the date the certification letter was filed.

The EPSB certified 16 KAR 4:060 with the intent to amend on September 3, 2021 and must file an amendment to the regulation on or before March 3, 2023. This administrative regulation establishes the certificate renewal provisions and the requirements for successful teaching experience for certificate issuance and renewal

Summary: The proposed amendment to 16 KAR 4:060 removes the references to outdated application forms. The amendment also expands the language regarding experience gained substitute teaching and serving at the higher education level to align with current certification practices. The amended regulation is included for EPSB review.

Budget Impact: There is no budgetary impact.

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