

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Waiver:**

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Garrard County Schools

#### **Action Question:**

Should the Education Professional Standards Board (EPSB) approve Garrard County's request to allow for a third issuance of an emergency certificate?

#### **Applicable Statute or Regulation:**

KRS 161.028, 16 KAR 2:120

#### **History/Background:**

**Existing Policy:** 16 KAR 2:120 Section 2(3)(b) provides that "An emergency certificate shall not be issued to the same person in any subsequent year unless the original emergency certificate was issued under the following conditions: 1. The emergency certificate was issued after February 15 of a school year; or 2. The emergency certificate was issued for less than fifty (50) percent of the person's class schedule. (c) If an emergency certificate is issued to a person pursuant to paragraph (b) of this subsection, there shall be no more than one (1) subsequent issuance of an emergency certificate to the same person." At the February 2024 meeting, the EPSB approved an amendment to 16 KAR 2:120 to allow for two issuances of an emergency certificate, with an additional issuance if one of the above conditions is met.

**Summary:** Garrard County Schools has been unsuccessful in finding qualified teachers for one of its two Spanish positions for five (5) years. The district/school has posted the position multiple times in the last twelve (12) months and attended multiple job fairs. The school has had zero (0) applicants. The current emergency certified teacher has attempted to pass the Praxis but has been unsuccessful due to test anxiety. Without offering Spanish, students will not be able to fulfill their college requirements. The district is requesting that the EPSB waive the number of years an emergency certificate can be offered and issue a third emergency certificate for this candidate.

**Budget Impact:** There is no budgetary impact.

#### **Contact Person:**

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