

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Waiver:**

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

#### **Action Question:**

Should the Education Professional Standards Board (EPSB) approve Owen 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:** Owen County Schools has been unsuccessful in finding qualified teachers for a Spanish position. The school went six (6) years without a certified teacher because they had zero (0) applicants. The district said their only course of action was to offer the course through an online platform called Edgenuity. This platform did not allow for the conversational aspect of the curriculum. The candidate is in a program out-of-state that does not qualify them for an Option 6 program. The candidate is also a native Spanish speaker. 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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