

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Action Item:**

16 KAR 5:040. Regulatory Waiver to Extend Student Teacher Flexibilities

#### **Staff Recommendation:**

The Education Professional Standards Board (EPSB) should waive portions of 16 KAR 5:040 and extend specified student teaching flexibilities for the 2026-2027 school year.

#### **Rationale:**

Amendments to 16 KAR 5:040 are currently underway that would allow experience as an emergency certified substitute teacher to meet student teaching requirements, allow student teachers to maintain classified employment, and allow educator preparation programs to conduct two (2) student teaching observations remotely. The EPSB has previously waived portions of 16 KAR 5:040 to allow for the same or similar flexibilities. Approval of this waiver will allow student teaching flexibilities to continue while amendments to 16 KAR 5:040 remain pending.

#### **Action Question:**

Should the EPSB waive portions of 16 KAR 5:040 and extend specified student teaching flexibilities for the 2026-2027 school year?

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

KRS 161.010, KRS 161.028, KRS 161.042, 16 KAR 5:040

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

***Existing Policy:*** KRS 161.010(6) defines a student teacher as “an adult who has completed the prerequisite teacher preparation as prescribed by the accredited teacher education institution in which he or she is enrolled, and who is jointly assigned by the institution and a local school district to engage in a period of practice teaching under the direction and supervision of the administrative and teaching staff of the school district and the institution.” KRS 161.042 further sets out the role of the student teacher but tasks the EPSB with promulgating administrative regulations on the specifics of the utilization of student teachers and the requirements for the supervising teacher, school, and school district. Through 16 KAR 5:040, the EPSB has set forth the requirements for admission, placement, and supervision in student teaching.

***Summary:*** For the past several years, the EPSB has approved waivers allowing experience that a student teacher acquired as an emergency certified substitute teacher to meet the requirements of student teaching; allowing educator preparation programs to perform student teaching observations remotely; and, allowing student teachers to maintain classified employment.

The EPSB also has previously indicated a desire to substantially align language in 16 KAR 5:040 with these waivers, and amendments to 16 KAR 5:040 are currently in progress. Given that amendments to 16 KAR 5:040 remain pending at this time, approval of the following waivers by EPSB will extend the same or similar prior flexibilities in student teaching through the 2026-2027 school year:

- Approve up to two (2) remote student teaching observations for all educator preparation programs under 16 KAR 5:040, Section 4(1);
- Conditionally waive 16 KAR 5:040, Section 5(7) to allow student teachers to maintain classified employment and receive funds from the student teacher stipend program; and,
- Conditionally waive 16 KAR 5:040, Section 5(6) & (7) to allow experience that a student teacher acquires as an emergency certified substitute teacher to meet the requirements of student teaching.

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

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