

**DEPARTMENT OF EDUCATION
APRIL 17, 2019**

TAB	DESCRIPTION	ACTION
1	DEVELOPMENTS IN K-12 EDUCATION	Information Item
2	EMERGENCY PROVISIONAL CERTIFICATES RECOMMENDATIONS	Motion to Approve

STATE DEPARTMENT OF EDUCATION
APRIL 17, 2019

SUBJECT

Developments in K-12 Education

BACKGROUND/DISCUSSION

Sherri Ybarra, Superintendent of Public Instruction, will share developments in K-12 education with the Board.

BOARD ACTION

This item is for informational purposes only.

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PROFESSIONAL STANDARDS COMMISSION

SUBJECT

Emergency Provisional Certificates Recommendations

REFERENCE

February 2018	Board approved seven (7) provisional certificates for the 2017-18 school year.
April 2018	Board approved three (3) provisional certificates for the 2017-18 school year.
June 2018	Board approved six (6) provisional certificates for the 2017-18 school year.
October 2018	Board approved one (1) provisional certificate for the 2018-19 school year.
December 2018	Board approved twenty-two (22) provisional certificates for the 2018-19 school year.
February 2019	Board approved forty-eight (48) provisional certificates for the 2018-2019 school year.

APPLICABLE STATUTE, RULE, OR POLICY

Sections 33-1201 and 33-1203, Idaho Code

ALIGNMENT WITH STRATEGIC PLAN

Goal 2: Educational Attainment, Objective C: Access

BACKGROUND/DISCUSSION

Emergency provisional applications allow a local education agency to request one-year emergency certification for a candidate who does not hold a current Idaho certificate/credential to fill an area of need that requires certification. School districts receive the same level of funding for staff with an emergency provision certificate as they receive for an individual with a standard or interim certificate. School districts receive funding at the same level as non-certified (classified staff) for long-term substitutes.

To better define the parameters for review and recommendation of Emergency Provisional Certificates by the Professional Standards Commission (PSC) to the State Board to Education (Board), the State Department of Education (Department) requests concurrence from the Board on considerations that should be made prior to the PSC's recommendation for approval of Emergency Provisional Certificates. Minimum areas for consideration are:

- Definition of two years of college training
- Deadlines for requests of Emergency Provisional Certificates
- New certificate with endorsement
- Extending a non-renewable interim certificate
- Certificates other than instructional staff

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IMPACT

Approved recommendations will be incorporated into the Emergency Provisional Certification application review and recommendation process.

ATTACHMENTS

Attachment 1 – Emergency Provisional Certificate Considerations and Recommendations

STAFF COMMENTS AND RECOMMENDATIONS

The state certification requirements are designed to assure we have qualified and highly effective teachers in the classroom and pupil service staff working with Idaho students. Pursuant to Section 33-1201, Idaho Code “every person who is employed to serve in any elementary or secondary school in the capacity of teacher, supervisor, administrator, education specialist, school nurse or school librarian shall be required to have and to hold a certificate issued under the authority of the State Board of Education.” Section 33-1203, Idaho Code, prohibits the Board from authorizing standard certificates to individuals who have less than four (4) years of accredited college training except in occupational fields or emergency situations. When an emergency is declared, the Board is authorized to grant one-year provisional certificates based on not less than two (2) years of college training. School districts have been requesting, and the PSC has been recommending, that the Board approve provisional certificates in a number of different circumstances, including:

1. When a candidate holds a certificate, but lacks an endorsement in the applicable subject area. Current administrative code, IDAPA 08.02.02.021, already provides for multiple alternative paths for individuals with a standard or interim certificate to add endorsements as well as alternative paths for individuals to receive an interim certificate while meeting the requirements for the standard certificate.
2. When a candidate has received an interim certificate but failed to complete the requirements of a standard certificate within the required time frame.
3. When a school district has conducted a failed search for a certificated teacher.
4. When a school district has received previous approval for an individual to be granted an emergency provisional certificate and is now requesting a new approval for a second year.

The two year college training minimum requirement in Section, 33-1203, Idaho Code, is undefined. The Department of Education has historically used 32 credits as the indicator for two (2) years of college training. Board Policy III.P.7. Full-Time Students defines a full-time student as taking 12 or more credits (or equivalent) per semester. An individual with 48 or more credits would be considered to have received two years of college training under Board Policy III.P.7.

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Section 33-512, Idaho Code, defines substitute teachers as “as any individual who temporarily replaces a certificated classroom educator...” Neither Idaho Code, nor administrative rule, limits the amount of time a substitute teacher may be employed to cover a classroom. In some cases, school districts use a long-term substitute prior to requesting provisional certification for the individual. In many cases the individual that the school district is requesting emergency certification for has been in the classroom as a long-term substitute for the entire term. Setting an application deadline for each term would help to manage the timing of when the requests come to the Board to ensure school districts have certificated instructional staff in the classroom in a timely fashion.

The Board is requested to take action on the following areas to provide direction to the Professional Standards Commission in its review of requests for emergency provisional certificates:

- Define credits needed to meet the requirement of “two-years of college training.”
- Clarify that individuals with an existing standard or interim certificate need to complete the alternative paths for endorsements set forth in IDAPA 08.02.02.021 rather than use the emergency provisional certificate process.
- Provide a time frame for the review of emergency provisional certificate requests.
- Define an “emergency.”

Board staff recommends that the Board:

- define two years as 24 or more credits or equivalent in alignment with the Board’s definition of full-time student;
- clarify that individuals with an existing standard or interim certificate need to complete the alternative paths for endorsements set forth in IDAPA 08.02.02.021 rather than use the emergency provisional certificate process.
- set deadlines during the school year for school districts and charter schools to submit applications for emergency certification three weeks after the start of the academic term (semester or trimester) in which the vacancy occurs;
- define an “emergency” to mean that the school district has conducted a failed search for a certificated teacher.

Board action at this time does not preclude the Board from considering emergency requests outside of these parameters on a case-by-case basis under special circumstances.

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BOARD ACTION

I move to approve the Department's recommendations for the processing of Emergency Provisional Certificates as identified in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

OR

I move to approve the Department's request to define completion of 48 semester credits as two years of college training for an Emergency Provisional Certificate.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

I move to approve the Department's request to submit Emergency Provisional Certificates for the current school year to the Board no later than the April meeting, subject to extenuating circumstances as described in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

I move to approve the Department's request to issue endorsements to the Emergency Provisional Certificate and to issue Emergency Provisional Certificates with endorsements to individuals who already hold the same certificate.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

I move to approve the Department's request to issue Emergency Provisional Certificates to individuals who hold an expired certificate, including an expired Interim Certificate.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

I move to approve the Department's current practice of providing exceptionally selective recommendations for Emergency Provisional Certificates for pupil service staff or administrators.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Emergency Provisional Certificate Considerations and Recommendations

As of February 14, 2019, State Board of Education (Board) has approved 71 Emergency Provisional Certificates for the 2018-2019 school year

Point of Discussion	Current Process	Additional Information	Points of Consideration	Recommendation
Definition of “two years of college training”	Historically, Federal Programs defined two years of study at an accredited postsecondary educational institution as 32 credits for paraprofessional requirements. Current process mirrors definition.	The Board defines a full time student as taking 12 or more credits (or equivalent) per semester. Based on this definition, an individual with 48 or more semester credits (or equivalent) would be considered as receiving two years of college training.	<ul style="list-style-type: none"> • 69 out of 71 met 48 credits • 2 out of the 71 did not meet 48 credits, but did meet 32 credit 	Two years of college training shall equal 48 semester credits.
Annual or by academic term deadlines for requests	<p>Applications are submitted and processed by academic school year. Applications can be categorized in one of the four scenarios:</p> <ul style="list-style-type: none"> • LEA hired applicant <i>prior</i> to school starting <ul style="list-style-type: none"> ○ May be due to not finding an appropriately certified individual or losing staff • LEA started school year without appropriately certified individual and applicant was hired <i>after</i> the year started – may have had a long term substitute (LTS)* <ul style="list-style-type: none"> ○ May be due to not finding an appropriately certified individual or losing staff • Original application was processed as an Alternative Authorization – Content Specialist (AA-CS), but later converted to an Emergency Provisional due to applicant not able to meet the initial qualification of passing content or pedagogy assessment nor meet the state board approved Uniform Standard for Evaluating Content Competency Rubric prior to entering the classroom. 	Due to various situations LEAs experience throughout each school year, as well as timelines for Professional Standards Commission (PSC) and Board meetings, it is possible for applications for Emergency Provisional Certificates to be submitted as late as May of a school year, although not likely.	<p>Except for extenuating situations, applications for each school year should be presented by the April Board meeting of the same school year.</p> <ul style="list-style-type: none"> • LEA hired applicant <i>prior</i> to school starting <ul style="list-style-type: none"> ○ 40 out of 71 • LEA hired applicant <i>after</i> school started <ul style="list-style-type: none"> ○ 6 out of 71 • Applicant did not qualify for AA-CS <ul style="list-style-type: none"> ○ 20 out of 71 • Applicant did not meet conditions on Interim <ul style="list-style-type: none"> ○ 5 out of 71 	<p>Emergency provisional certificates for the current school year shall be recommended for consideration by the Board by the April meeting.</p> <p>Should an LEA lose a staff member after the deadline for the April Board meeting, the emergency provisional certificate can be recommended for consideration at the June meeting of the Board.</p>

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ATTACHMENT 1

Point of Discussion	Current Process	Additional Information	Points of Consideration	Recommendation
	<ul style="list-style-type: none"> Applicant did not meet the conditions of their Interim Certificate which has expired. 			
New certificate with endorsement	<p>For every Board-approved Emergency Provisional Certificate, an applicant is issued a Provisional Certificate with corresponding endorsement regardless of whether they hold certification. There are three situations that apply:</p> <ul style="list-style-type: none"> Applicant does not hold any certificates <ul style="list-style-type: none"> Example: No certificate applying for Provisional Instructional Certificate – All Subjects (K-8) Applicant holds certification, but NOT the same certificate as the provisional certificate. <ul style="list-style-type: none"> Example: Pupil Service Staff – School Counselor applying for Provisional Instructional Certificate – Mathematics (6-12) Applicant holds the same certificate as the provisional certificate. <ul style="list-style-type: none"> Example: Standard Instructional Certificate – English (6-12) applying for Provisional Instructional Certificate – History (6-12) 	<p>Is the Emergency Provisional Certificate only applicable to the first two situations (those who do not hold any certificate and those who do not hold the same certificate as the provisional)?</p> <p>Statutory language authorizing the approval of emergency certificates does not address endorsement. Does that preclude the ability to add endorsement to the Emergency Provisional Certificate?</p> <p>Including endorsements assists in tracking areas of need, and also provides transparency to subject areas the Emergency Provisional Certified applicant may be assigned.</p>	<p>Applicants who already hold the same certificate (i.e. Instructional certificate) are typically stronger than those who do not. If the current law precludes this, is there another way, such as rulemaking, that would grant this option?</p> <ul style="list-style-type: none"> Does not currently hold a valid certificate = 57 out of 71 Adding a new certificate = 5 out of 71 Holds same certificate = 9 out of 71 <p>There is an option to add an endorsement through the Alternative Authorization – Teacher to New Endorsement; however, some candidates may not have the desire to add the endorsement or a plan that will lead to the endorsement, and the</p>	<p>The PSC may recommend an Emergency Provisional Certificate with endorsement, and an Emergency Provisional Certificate with endorsement may be recommended for an individual who already holds the same certificate.</p>

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Point of Discussion	Current Process	Additional Information	Points of Consideration	Recommendation
			LEA has an identified area of need for one year.	
Extending a non-renewable Interim certificate	Some Emergency Provisional Certificate applications are for applicants who did not meet the requirements of their Interim certificate. For example, failure to complete all required assessment and/or coursework as identified in their educator preparation plan and/or Interim certificate. LEAs may declare an emergency and apply for Emergency Provisional Certification for applicants in this situation.	Statutory language does not address whether an Emergency Provisional Certificate can be issued to an applicant who holds an expired certificate, including expired Interim certificates.	Interim certificates are for up to three years and are non-renewable	Emergency Provisional Certificate may be recommended for an individual who holds an expired certificate, including an expired interim certificate.
Emergency Provisional Certificates issued for Pupil Service Staff or Administrator	The PSC has had discussions regarding the concern about issuing Emergency Provisional Certificates for Pupil Service Staff (PSS) and Administrators, specifically, those individuals with two years of college training serving as a School Counselor, School Social Worker, Speech-Language Pathologist, School Nurse, School Psychologist, Audiologist, Principal, Special Education Director, or Superintendent. Currently the Authorizations Committee of the PSC is extremely selective with recommendations for Emergency Provisional Certificates for PSS or Administrator. An example is an Emergency Provisional Certificate for a School Counselor for an applicant who had a master’s in clinical mental health counseling. The background and educational experience of this applicant reduced concerns of them serving as school counselor for the year.	Statutory language does not address what certificates an Emergency Provisional can issue. In addition, the language does not address any criteria other than the two years of college training and declaration of emergency.	<ul style="list-style-type: none"> • 3 out of 71 were for Pupil Service Staff – School counselor • 68 out of 71 were for instructional staff or occupational specialist with applicable endorsements. 	Continue current practice of providing only exceptionally selective recommendations to the Board.

- * Long Term Substitute (LTS) – A substitute for 10 or more consecutive days is considered a LTS. Substitutes and LTS must be tied to a teacher of record. The teacher of record is defined as the person who is primarily responsible for planning instruction, delivering instruction, assessing students formatively and summatively, and designating the final grade.
 - If a teacher of record leaves, LEAs may apply for Emergency Provisional Certificate if they cannot find a replacement.