

290-3-2-.02 Basic Principles.

(1) Certification Authority.

(a) The Educator Certification Section shall be the sole office within the Alabama State Department of Education to issue certificates and licenses and to implement Alabama laws and Rules adopted by the Alabama State Board of Education relating to the certification of teachers and instructional support personnel for preschool through Grade 12 (P-12). Rules, standards, directives, and memoranda written prior to adoption of these Rules are invalid and shall not be used to determine the application of these Rules. These Rules shall apply to all individuals whose applications for certification have a receipt date of on or after May 1, 2016, unless otherwise noted throughout this chapter.

(b) Unless otherwise provided by law, the educator certification Rules in this chapter shall be the sole authority by which certification is administered. Only the Alabama State Superintendent of Education shall have the authority to make exceptions to these Rules. Additional information on the certification authority of the State Superintendent of Education is in Rule 290-3-2-.04.

(c) Certificates issued by another state, DoDEA, or another certificate issuing authority may not be validated as the authority of their holders to teach in Alabama schools.

(d) State certification Rules grant broad general authority but ensure uniformity of administration.

(e) State certification Rules allow modifications to supporting policies and procedures to facilitate adoption and implementation of new technologies and improved business processes.

(2) Proper Certification.

(a) Each person who serves as a teacher or in an instructional support personnel position in the public schools of the State is required to hold a valid Alabama certificate as prescribed in Ala. Code §16-23-1 (1975).

(b) Each person who serves as a private tutor is required to hold a valid Alabama certificate as prescribed in Ala. Code §16-28-5 (1975).

(c) Proper certification is defined as having a valid Alabama certificate in the teaching field(s) and/or area(s) of instructional support in which the person is assigned throughout the school day. The current edition of the *Subject and Personnel Codes* of the Alabama State Department of Education, which is updated annually, shall be used to determine whether a person holds proper certification for his or her assignments throughout the school day.

(d) An individual who is assigned one or more periods per day in a teaching field in which he or she is not properly certified will cause a penalty of a minimum of \$500.00 per teacher per year to be assessed against the employing board of education. Additional information about proper certification is in Rule 290-3-2-.01(40). Additional information about the penalty is in Rule 290-2-1-.01. All teachers must be paid according to the State Minimum Salary Schedule. Additional information about the schedule is in Rule 290-2-1-.01.

(3) Highly Qualified Teacher. A teacher may be officially designated highly qualified by the Alabama State Superintendent of Education in a specific core academic subject area(s) and grade level(s) based on having met criteria outlined in the current edition of *The Alabama Model for Identifying Highly Qualified Teachers*. Highly Qualified Teacher status may be verified on the Educator Certification Section of the Departmental website.

(4) Alabama Special Requirements

(a) Completion of a criminal history background check as required by the *Alabama Child Protection Act of 1999*, as amended, and in Rule 290-3-2-.02(8).

(b) Verification, on the current application form for each certification approach, of citizenship or nationality status as required by the *Beason-Hammon Alabama Taxpayer & Citizen Protection Act 2011-535*, and as amended, by *Alabama Act No. 2012-491*.

(c) Completion of requirements of the Alabama Educator Certification Assessment Program (AECAP) as prescribed in Rule 290-3-2-.02(9).

(5) Applications.

(a) An applicant must meet all certification requirements for the selected approach to certification in effect on the receipt date of the application.

(b) Requirements must be met at the time of application receipt. An applicant who submits an incomplete application for certification must submit the additional required documentation within the 60 day period beginning with the date of a letter from the Educator Certification Section indicating the requirements yet to be verified. If the required documentation is not received in the Section within that 60 day period, the applicant must submit a current application, submit another nonrefundable fee, and meet requirements in effect on the receipt date of the new application.

(c) Applicants required to successfully complete the Alabama Educator Certification Assessment Program (AECAP) must submit verification of meeting the test requirements within the 6 month period beginning with the date of a letter from the Educator Certification Section indicating certificate eligibility status. If the testing requirements are not met or verification is not received in the Section within that 6 month period, the applicant must submit a current application, submit another nonrefundable fee, and meet requirements in effect on the receipt date of the new application. Some approaches to certification require successful completion of the AECAP at a specific time and must be met as prescribed in this chapter.

(6) Application Fee.

(a) The Educator Certification Section shall collect fees for certification purposes pursuant to Ala. Code § 16-23-4 (1975).

(b) Each application for certification must be accompanied by a \$30.00 nonrefundable fee.

1. If the applicant is eligible or becomes eligible for certification within 60 days or 6 months as prescribed in Rule 290-3-2-.02(5), a certificate will be issued. Additional fee(s) may be requested for certification in more than one area.

2. If the applicant does not become eligible for certification within 60 days or 6 months as prescribed in Rule 290-3-2-.02(5), an Emergency Certificate or Substitute License may be issued for a qualified applicant at the request of an employing superintendent or administrator. Otherwise, the \$30.00 fee is non-transferable and will be forfeited.

3. If eligibility requirements are not met within 60 days or 6 months as prescribed in Rule 290-3-2-.02(5), the applicant must submit a current application, submit another nonrefundable fee, and meet requirements in effect on the receipt date of the new application.

(c) A cashier's check, money order, or receipt for online payment through the Department approved payment system is required. No other form of payment is accepted. Money orders and cashier's checks must be payable to the Alabama State Department of Education.

(d) All fees are nonrefundable.

(7) Minimum Degree and Academic Requirements.

(a) Specific degree requirements must be met in the Rules as prescribed in this chapter.

(b) An applicant whose only degree is a bachelor's degree that has been earned from a non-regionally accredited senior institution may apply for a Class B Professional Educator Certificate with acceptable verification that all of the following conditions have been met:

1. Completion of a state-approved educator preparation program.

2. Valid professional educator certificate from another state or DoDEA in an area in which Alabama offers comparable certification at the Class B level.

3. Nine semester hours of graduate credit with grades of "B" or above earned from an Alabama institution with State-approved programs and posted on the official transcript of that institution.

(c) An applicant who holds a bachelor's degree from a non-regionally accredited senior institution and a bachelor's or higher degree from a regionally accredited senior institution shall have both degrees recognized for certification purposes.

(d) Degrees above the bachelor's level earned from non-regionally accredited senior institutions will not be recognized for certification purposes.

(e) Remedial courses will not be recognized for certification purposes. Other than remedial, these courses may be called compensatory, developmental, or basic skills. These courses are usually numbered below 100.

(8) Criminal History Background Check.

(a) Effective July 1, 2002, an applicant for certification/licensure or an applicant employed by a local school system or nonpublic school who will have unsupervised access to children in an educational environment and who has not completed a background check since July 1, 1999, as required by the Alabama Child Protection Act of 1999, as amended, shall be required to be fingerprinted for a criminal history background check through the Alabama Bureau of Investigation (ABI) and the Federal Bureau of Investigation (FBI) pursuant to Act 2002-457.

1. The applicant shall be fingerprinted by the approved third party contractor designated by the Alabama Department of Education who has been trained to take acceptable fingerprints.

2. An applicant for certification/licensure:

(i) Shall be fingerprinted by the approved third party contractor designated by the Alabama Department of Education who has been trained to take acceptable fingerprints, submit the required nonrefundable and nontransferable fee, and authorize the Alabama Department of Public Safety to conduct a criminal history background check and allow the release of any criminal history information to the Alabama Department of Education; and

(ii) After a suitability determination by the Alabama State Superintendent of Education, the appropriate certificate shall be issued, if other requirements for certification are met.

3. An applicant recommended for employment by a local employing board of a public school:

(i) Shall be fingerprinted by the approved third party contractor designated by the Alabama Department of Education who has been trained to take acceptable fingerprints, submit the required nonrefundable and nontransferable fee, and authorize the Alabama Department of Public Safety to conduct a criminal history background check and allow the release of any criminal history information to the Alabama Department of Education; and

(ii) Shall be issued a suitability determination from the Alabama State Superintendent of Education if the individual is a certified applicant for employment; or

(iii) Shall be issued a clear report or a report consisting of confirmed convictions and pending criminal charges if the individual is a noncertified applicant for employment; and

(iv) Shall have the suitability determination or report issued to the local employing superintendent.

4. An applicant recommended for employment in a nonpublic school:
 - (i) Shall be fingerprinted by the approved third party contractor designated by the Alabama Department of Education who has been trained to take acceptable fingerprints, submit the required nonrefundable and nontransferable fee, and authorize the Alabama Department of Public Safety to conduct a criminal history background check and allow the release of any criminal history information to the Alabama Department of Education; and
 - (ii) Shall have a suitability determination issued by the Alabama State Superintendent of Education to the administrator of the nonpublic school requesting the determination.

(b) Effective July 1, 2002, a current certified/licensed or noncertified employee who has or will have unsupervised access to children in an educational environment and who has not completed a background check since July 1, 1999, through the ABI and the FBI for the purposes of Alabama certification/licensure or employment with a local employing board or nonpublic school shall be required to submit fingerprints for a background check pursuant to Act 2002-457.

1. Any current certified/licensed or noncertified employee in a public school system:
 - (i) Shall be fingerprinted by the approved third party contractor designated by the Alabama Department of Education who has been trained to take acceptable fingerprints, submit the required nonrefundable and nontransferable fee, and authorize the Alabama Department of Public Safety to conduct a criminal history background check and allow the release of any criminal history information to the to the Alabama Department of Education;
 - (ii) Shall be issued a suitability determination from the Alabama State Superintendent of Education; and
 - (iii) Shall have the same suitability determination issued to the local employing superintendent.
2. Any current certified/licensed or noncertified employee in a nonpublic school:
 - (i) Shall be fingerprinted by the approved third party contractor designated by the Alabama Department of Education who has been trained to take acceptable fingerprints, submit the required nonrefundable and nontransferable fee, and authorize the Alabama Department of Public Safety to conduct a criminal history background check and allow the release of any criminal history information to the Alabama Department of Education; and
 - (ii) Shall have a suitability determination issued by the Alabama State Superintendent of Education to the administrator of the nonpublic school requesting the determination.

(c) Effective July 1, 2002, a background check shall be required for any current employee and any new employee of the Alabama Department of Education who has unsupervised access to and provides education, training, instruction, or supervision for children in an educational setting.

1. An Alabama Department of Education employee shall be fingerprinted by the approved third party contractor designated by the Alabama Department of Education who has been trained to take acceptable fingerprints, submit the required nonrefundable and nontransferable fee, and authorize the Alabama Department of Public Safety to conduct a criminal history background check and allow the release of any criminal history information to the Alabama Department of Education.

2. An Alabama Department of Education employee shall be issued a suitability determination by the Alabama State Superintendent of Education.

(d) Effective no later than the beginning of the fall 2008 semester, any candidate applying for admission to a State-approved teacher education program shall be required to be fingerprinted for a criminal history background check through the Alabama Department of Education to the Alabama Bureau of Investigation (ABI) and the Federal Bureau of Investigation (FBI) pursuant to Act 2002-457.

1. The candidate shall be fingerprinted by the approved third party contractor designated by the Alabama Department of Education who has been trained to take acceptable fingerprints, submit the required nonrefundable and nontransferable fee, and authorize the Alabama Department of Public Safety to conduct a criminal history background check and allow the release of any criminal history information to the Alabama Department of Education.

2. The candidate shall be issued a suitability determination from the State Superintendent of Education. The candidate must provide the designated official of the teacher education unit documentation of having cleared the criminal history background check prior to admission to a State-approved teacher education program.

3. A candidate whose suitability determination precludes admission to a State-approved teacher education program has the right to due process procedures in accordance with Rule 290-3-2-.04, Revocation and Suspension of Certificates and Unsuitability Determinations.

(e) After such time that all current employees have been fingerprinted for a background check, any individual who submits an application for additional certification or for the renewal of a certificate, and who has not completed a background check shall be required to be fingerprinted by the approved third party contractor designated by the Alabama Department of Education who has been trained to take acceptable fingerprints, submit the required nonrefundable and nontransferable fee, and authorize the Alabama Department of Public Safety to conduct a criminal history background check and allow the release of any criminal history information to the Alabama Department of Education.

(f) A background clearance shall also be required of an applicant or current employee who completed a background check for certification/licensure purposes prior to July 1, 2002, but no longer has those prints on file due to the lapse of the certificate or license or because the individual was not eligible for a certificate or license.

(g) When the Alabama State Superintendent of Education has reasonable suspicion that an individual who holds a certificate or license issued by the Alabama State Board of Education or is a current public employee has been convicted of a felony or a misdemeanor other than a minor traffic violation or has been guilty of immoral, indecent or unbecoming behavior, that individual shall be subject to a background clearance through a fingerprint review. In such case, the individual will not be responsible for the required fee. A letter of notification from the Alabama State Superintendent of Education regarding the intent to conduct a review will be sent to the individual. The individual shall be fingerprinted by the approved third party contractor designated by the Alabama Department of Education who has been trained to take acceptable fingerprints and authorize the Alabama Department of Public Safety to conduct a criminal history background check and allow the release of any criminal history information to the Alabama Department of Education. Failure to comply with this requirement shall result in appropriate disciplinary action.

(h) No local employing board or nonpublic school shall hire an applicant who may have unsupervised access to a child without first obtaining a criminal history background information check, except on a temporary emergency basis. In the event that this exception is used and a position is filled by the employer due to exigent circumstances, the applicant so employed may be placed on payroll until such time as a criminal history background information check on the employee is completed as prescribed in Act 2002-457.

(9) Alabama Educator Certification Assessment Program (AECAP). The statewide testing program required by the Alabama State Board of Education.

(a) Applicants must meet the AECAP requirements in effect at the time the application is received in the Educator Certification Section.

(b) Additional information regarding AECAP requirements may be found in the Rule for each approach as prescribed in this chapter and on the Departmental website.

(c) Only electronic score reports submitted directly from the testing service to the Alabama State Department of Education will be accepted.

(d) Components of the AECAP are:

1. Basic skills assessments from the ACT WorkKeys System (Applied Mathematics, Reading for Information, and Writing). The requirements for the basic skills assessments became effective January 1, 2003, as a precondition for initial certification. Effective September 1, 2013, successful passage of the basic skills assessments became a precondition for unconditional admission to a Class B program or an Alternative Class A program. The basic skills assessments are also a precondition for selected State-approved approaches. Additional information regarding the basic skills assessments may be found on the Departmental website and on the ACT website. Effective April 17, 2019, Praxis Core was rescinded as a requirement for unconditional admission to an Alternative Class A program. Effective June 11, 2020, Praxis Core will no longer be required for unconditional admission to a Class B program.

2. Praxis II tests from Educational Testing Service (ETS). The requirements for the Praxis II tests became effective April 14, 2005, as a precondition for initial certification in any teaching field or area of instructional support. Additional information regarding the Alabama prescribed Praxis II tests can be found on the Departmental website and on the ETS website.

3. Effective September 1, 2018, a performance assessment. The performance assessment, administered by Pearson, will be required for initial certification in a teaching field or area of instructional support.

(10) Professional Educational Work Experience.

(a) Acceptable professional educational work experience is full-time employment in teaching or an area of instructional support (e.g., counseling, etc.) in the following educational settings:

1. A state or local P-12 public school;
2. An Alabama P-12 nonpublic school;
3. A P-12 nonpublic school outside of Alabama that was regionally accredited or approved by the State Department of Education where the school was geographically located when the experience was earned;
4. A P-12 church-related school;
5. A P-12 charter school that was regionally accredited or approved by the State Department of Education where the school is geographically located when the experience was earned;
6. State Departments of Education;
7. An Alabama State Department of Education sponsored Initiative (e.g., Alabama Reading Initiative, etc.);
8. A professional educational association (e.g., National Education Association, National Federation of Teachers, etc.);
9. A post-secondary institution that was regionally accredited when the professional educational work experience was earned. Full-time employment in a post-secondary institution is determined by the written policies of that institution.
10. A P-12 federally operated school (e.g., Department of Defense Education Activity, Bureau of Indian Affairs, etc.);

11. A Head Start Program under the legal jurisdiction of a public school system when the experience was earned;

12. A childcare facility below Kindergarten (Age 5) if the facility was accredited by the National Association for the Education of Young Children (NAEYC) when the experience was earned.

(b) Professional educational work experience earned outside of the United States will be considered on an individual basis.

(c) Employment in increments of less than one semester (4.5 months) will not be considered.

(d) Educational experience as an intern, graduate assistant, student teacher, member of a board of education, or in positions such as an aide, clerical worker, or substitute teacher is not acceptable.

(e) Supplement EXP must be used to document professional educational work experience.

(11) Valid Periods for Certificates and Licenses.

(a) If applicable, deadlines for meeting requirements to issue a certificate are outlined in the specific rule for that certification approach.

(b) Current valid periods for Professional Educator Certificates, Professional Leadership Certificates, and renewable Career and Technical Certificates. Professional Educator Certificates, Professional Leadership Certificates, and renewable Career and Technical Certificates issued beginning December 2013 are valid from the date of issuance through the remainder of the same scholastic year, and thereafter, for the next five consecutive scholastic years unless otherwise prescribed elsewhere in this chapter.

(c) Changing valid periods when a new Professional Educator Certificate, Professional Leadership Certificate, or renewable Career and Technical Certificate is added. When an additional Professional Educator Certificate, Professional Leadership Certificate, or renewable Career and Technical Certificate is issued, the valid period for each valid Professional Educator Certificate, Professional Leadership Certificate, or renewable Career and Technical Certificate shall be updated to reflect the valid period of the newest Professional Educator Certificate, Professional Leadership Certificate or renewable Career and Technical Certificate.

(d) Changing valid periods when an additional teaching field is added to a Professional Educator Certificate. When an additional teaching field is added to a valid Professional Educator Certificate, the valid period for each valid Professional Educator Certificate, Professional Leadership Certificate, or renewable Career and Technical Certificate shall be updated to the valid period of the newest Professional Educator Certificate.

(e) Additional information regarding the valid period of a certificate is in the Rule for the specific certificate.

(f) Valid period historical information.

1. From July 1, 1997 through November 2013, the Department issued Professional Educator Certificates with a valid period of five scholastic years. In January 2010, the Department began to issue Professional Leadership Certificates with a valid period of five scholastic years.

2. Prior to July 1, 1997, a Class B Professional Educator Certificate was issued with a valid period of 8 scholastic years, a Class A Professional Educator Certificate was issued with a valid period of 10 scholastic years, and a Class AA Professional Educator Certificate was issued with a valid period of 12 scholastic years.

(12) Failure to Maintain a Valid Certificate. An individual who allows a certificate to expire cannot qualify for a certificate at the same degree-level in the same teaching field or area of instructional support based on the same approach and criteria or credentials that were used to earn the certificate initially. Additional information on the requirements for reinstating an expired certificate is in Rule 290-3-2-.29.

(13) Foreign Credential Evaluations.

(a) An individual who earned a bachelor's or higher degree at a university or college in another country must submit an evaluation of their foreign credentials from a Department-approved foreign credential evaluation agency.

(b) The original complete evaluation must be submitted and must include **all** of the following:

1. An accurate course-by-course and credit hour-by-credit hour translation of the coursework completed.

2. A statement verifying the degree earned which is equivalent to a degree granted by a regionally accredited senior institution in the United States.

3. The major program area.

4. The overall grade point average (GPA). The overall GPA is the GPA posted on the official transcript of the degree granting institution that was used as a basis for granting the degree.

(c) An individual who earned a bachelor's or higher degree and completed an educator preparation program at a university or college in another country may seek a Professional Educator Certificate in a teaching field. Additional information may be found in Rule 290-3-2-.25.

Author: Dr. Eric G. Mackey.

Statutory Authority: Ala. Code §§16-3-11, 16-23-1 and 16-23-2 (1975).

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