

APA-1  
07/04

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. 290 Department or Agency State Department of Education  
Chapter No. 290-3-2-.36  
Chapter Title: Higher Education Transitional Certificate  
x New \_\_\_\_\_ Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference \_\_\_\_\_

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? No

Is there another less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Eric G. Mackey  
Eric G. Mackey  
State Superintendent of Education

Date 07-03-2019

APA-2  
07/04

STATE DEPARTMENT OF EDUCATION

NOTICE OF INTENDED ACTION

AGENCY NAME: State Department of Education

RULE NO. & TITLE: Rule 290-3-2-.36, Higher Education Transitional Certificate;

INTENDED ACTION: The Department of Education will propose to adopt the new Rule 290-3-2-.36 listed above;

SUBSTANCE OF PROPOSED ACTION: The Alabama State Board of Education will be asked to adopt the new Rule 290-3-2-.36 to further clarify the requirements for a Higher Education Transitional Certificate;

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at 10:00 a.m., September 12, 2019, at the Auditorium, Plaza Level, Gordon Persons Building, 50 North Ripley Street, Montgomery, Alabama. All persons wishing to express their views should contact the State Superintendent of Education (334-694-4900) no later than September 4, 2019, in order to be scheduled on the agenda. All persons wishing to express their views in writing to the State Superintendent of Education should address all written comments to the State Superintendent of Education, Gordon Persons Building, P.O. Box 302101, Montgomery, Alabama 36130-2101.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: September 12, 2019

CONTACT PERSON AT AGENCY: Shavon Cummings  
Alabama State Department of Education  
P.O. Box 302101  
Montgomery, Alabama 36130-2101  
(334-694-4557)

  
Eric G. Mackey  
State Superintendent of Education

290-3-2-.36 Higher Education Transitional Certificate (HETC) Approach.

(1) **Overview.** An individual who has experience teaching at a regionally accredited college or university may seek a Letter of Eligibility for the Higher Education Transitional Certificate (HETC). A superintendent who wishes to employ an individual holding a valid Letter of Eligibility may request the Higher Education Transitional Certificate which leads to the Professional Educator Certificate.

(2) **Grade Levels, Teaching Fields, and Resulting Professional Educator Certificates.**

(a) Letter of Eligibility, HETC, and the resulting Professional Educator Certificate Grades P-12: Limited to choral or instrumental music, dance, languages other than English, physical education, theatre, and visual arts.

(b) Letter of Eligibility, HETC and the resulting Professional Educator Certificate Grades 4-8: Limited to English language arts, general science, general social science, and mathematics.

(c) Letter of Eligibility, HETC and the resulting Professional Educator Certificate Grades 6-12: Limited to the teaching fields as listed on the current application for this approach.

(3) **Limitations on Issuance.**

(a) An individual may not be employed for more than three scholastic years on the basis of holding an Alternative Baccalaureate-Level Certificate, a Career and Technical Alternative Baccalaureate-Level Certificate, a Preliminary Certificate, a Preliminary Certificate Through Exception, a Special Alternative Certificate, a Provisional Certificate, an Interim Employment Certificate, a Business and Industry to Educational Administrator Certificate, a Higher Education Transitional Certificate, or any combination thereof.

(b) An individual who has not completed all requirements for the Professional Educator Certificate through this approach no later than one calendar year after the HETC expires shall no longer be eligible for certification through the HETC approach.

(c) An individual who earns a Professional Educator Certificate or a Professional Leadership Certificate in the area for which the HETC was issued may be eligible to follow an alternative approach to earning a Professional Educator Certificate or Professional Leadership Certificate in another area.

(4) **Letter of Eligibility**

(a) **Application.** The applicant is required to submit to the Educator Certification Section the current application for this approach and documentation of having met all requirements as prescribed in Rule 290-3-2-.36 and on the application.

(b) **Requirements.** All requirements must be successfully completed prior to the date the application is received in the Educator Certification Section.

1. Successful completion of the Alabama Special Requirements in Rule 290-3-2-.02(4).

2. Verification on an official transcript of at least an earned bachelor's degree from a regionally accredited senior institution. Verification on an official transcript of an earned master's or higher degree from a regionally accredited senior institution may also meet the degree requirement.

(i) The bachelor's degree must be posted with a minimum overall grade point average (GPA) of at least 2.75 or the master's or higher degree must be posted with a minimum overall GPA of at least 3.0. The overall GPA is the GPA posted on the official transcript of the degree granting institution that was used as the basis for granting the degree.

(ii) If the bachelor's degree overall GPA is less than 2.75 and a degree above the bachelor's degree is not held, a higher "alternate score" on the Alabama-prescribed Praxis Subject Assessment(s) can be used.

3. Verification on Supplement HET of at least 72 semester hours (1080 clock hours) of teaching experience at an institution of higher education that awards an associate or higher degree.

(i) The institution of higher education must have been regionally accredited at the time the experience was attained.

(ii) The experience must have been attained within the ten years immediately prior to the date the application is received in the Educator Certification Section.

4. Electronic verification from the testing company to the ALSDE of a current passing score on the Alabama-prescribed Praxis Subject Assessment(s) of the Alabama Educator Certification Assessment Program AECAP. Additional information is in Rule 290-3-2-.02(9).

**(5) Higher Education Transitional Certificate**

(a) **Application.** A superintendent who wishes to employ an individual may request a Higher Education Transitional Certificate. The individual must be employed full-time in the eligible teaching field while completing the requirements.

1. The applicant is required to submit to the superintendent the Letter of Eligibility received from the Educator Certification Section.

2. The superintendent who wishes to employ the applicant to teach full-time, in the teaching field and at the grade level for which the Letter of Eligibility was issued, is required to submit to the Educator Certification Section a recommendation on the current application for this approach.

**(6) Professional Educator Certification.** The applicant is required to submit to the Educator Certification Section the current application for this approach and documentation

of having met all requirements. The applicant may apply for the Professional Educator Certificate at any time after all requirements have been met, but no later than one calendar year after the HETC expires.

**SUPP. NO. 19-3**

**EDUCATOR CERTIFICATION**

**290-3-2-.36(6)(a)**

**290-3-2-.36 History.**

(a) **Coursework Requirements.** Verification on an official transcript of earned credit for the required coursework prior to applying for the Professional Educator Certificate.

1. Coursework must be completed at a regionally accredited institution in each of the following areas:

(i) Classroom management;

(ii) Evaluation of teaching and learning;

(iii) Methods of teaching; and

(iv) Strategies for teaching special needs students in inclusive settings.

(I) This course must be completed at a regionally accredited senior institution with state-approved programs and must be part of a state-approved program.

(II) This course will not be accepted if completed five or more years prior to the date the application for the Letter of Eligibility is received in the Educator Certification Section.

2. Coursework must be completed with a grade of "C" or above.

3. Coursework applied for completion of the HETC approach cannot later be applied to meet coursework requirements for a State-approved program at a higher degree level in any area.

(b) **Experience Requirement.** Verification on Supplement EXP of one full year of full-time classroom teaching experience in the teaching field while holding a valid HETC. An individual who holds a valid HETC must be assigned only to the teaching field for which the HETC was issued. All experience must be earned in one public school system.

(c) **Test Requirement.** Electronic verification from the testing company to the ALSDE of a current passing score attained on the prescribed Educative Teacher Performance Assessment (edTPA) Handbook of the Alabama Educator Certification Assessment Program (AECAP).

(7) **Degree Level.** The HETC Certificate and the Professional Educator Certificate issued through this approach shall be issued based upon the applicant's highest earned degree from a regionally accredited senior institution.

(8) **Valid Period.**

(a) The valid period of the Eligibility Letter shall be from the date of issuance through the remainder of the same scholastic year, and thereafter, for the next two consecutive scholastic years.

(b) The valid period of the HETC shall be from the date of issuance through the remainder of the same scholastic year, and thereafter, for the next two consecutive scholastic years.

(c) The valid period of the Professional Educator Certificate shall be from the date of issuance through the remainder of the same scholastic year, and thereafter, for the next five consecutive scholastic years.

**Author:** Dr. Eric G. Mackey

**Statutory Authority:** Ala. Const. Amend. 284, Ala. Code §§16-3-11, 16-23-1 and 16-23-2 (1975).

**History:** Adopted new