

APA-1
11/96

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 290 Department or Agency State Department of Education
Rule No. 290-3-2-.28
Rule Title: Junior Reserve Officer Training Corps (JROTC) Certificate Approach

New Amend
Repeal Adopt by Reference (Check appropriate box)

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? Yes

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 rule have an economic impact? No

If the proposed rule does have 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.

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.



Thomas R. Bice
State Superintendent of Education

11/7/13

DATE

APA-2
11/96

STATE DEPARTMENT OF EDUCATION

NOTICE OF INTENDED ACTION

AGENCY NAME: State Department of Education

RULE NO. & TITLE:

290-3-2-.02 Basic Principles

290-3-2-.03 Professional Educator Certificate and Professional Leadership Certificate

290-3-2-.15 Preliminary Certificate Approach: For Individuals Issued a First Preliminary Certificate Beginning with the 2011-2012 Scholastic Year and Thereafter

290-3-2-.16 Preliminary Certificate Through Exception in Reading Approach **(Repeal)** Preliminary Certificate Through Exception in Educational Administration Approach: For Individuals Issued a First Preliminary Certificate Through Exception in Educational Administration Beginning with the 2014-2015 Scholastic Year and Thereafter **(New)**

290-3-2-.17 Additional Teaching Field Approach Based on a Professional Educator Certificate, Experience, and a Test Score

290-3-2-.23 Specialty Area Career and Technical Certificate in a Technical Education Program Area Approach

290-3-2-.24 Specialty Area Career and Technical Certificate in Health Science Approach

290-3-2-.25 Career and Technical Education Additional Teaching Field Approach Based on a Professional Educator Certificate, Experience, and an Occupational Proficiency Assessment

290-3-2-.26 Career and Technical Education Temporary Certificate (CTE T)

290-3-2-.28 Junior Reserve Officer Training Corps (JROTC) Certificate Approach

290-3-2-.29 Child Nutrition Program Director Certificate Approach

290-3-2-.30 Interim Certificate **(Repeal)** Additional Certification in Driver and Traffic Safety Education **(New)**

290-3-2-.31 Emergency Certificate

290-3-2-.32 Substitute Teacher License

290-3-2-.33 Renewal Requirements: Continuation or Reinstatement

290-3-2-.35 Certification Forms and Supplements

INTENDED ACTION: Repeal Rules and Adopt New Rules

SUBSTANCE OF PROPOSED ACTION:

As it pertains to Rules 290-3-2-.02, 290-3-2-.03, 290-3-2-.17, 290-3-2-.23, 290-3-2-.24, 290-3-2-.25, 290-3-2-.26, 290-3-2-.28, 290-3-2-.29, 290-3-2-.31, 290-3-2-.32, and 290-3-2-.33, to change the certificate beginning valid period to be effective on the date of issuance.

As it pertains to Rule 290-3-2-.16, to delete the Preliminary Certificate Through Exception in Reading Approach.

As it pertains to Rule 290-3-2-.16, to create an alternative certification approach for individuals who do not meet the administrative experience requirement when applying through the Certificate and Experience Reciprocity Certification Approach.

As it pertains to Rules 290-3-2-.15 and 290-3-2-.17, to delete the Driver and Traffic Safety Education certification approaches which require testing.

As it pertains to Rule 290-3-2-.30, to delete the Interim Certificate.

As it pertains to Rule 290-3-2-.30, to create a new Driver and Traffic Safety Education certification approach.

As it pertains to Rule 290-3-2-.35, to update and add new application forms.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at 1:00 p.m., January 8, 2014, 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 (334-242-9700) no later than December 30, 2013, 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: January 8, 2014

CONTACT PERSON AT AGENCY:

Dr. Jayne A. Meyer
Alabama State Department of Education
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Montgomery, Alabama 36130-2101
(334)242-9560



Thomas R. Bice
State Superintendent of Education

NEW TEXT

SUPP. NO. 14-1
290-3-2-.28

TEACHER CERTIFICATION

290-3-2-.28

290.3-2-.28 Junior Reserve Officer Training Corps (JROTC) Certificate Approach.

(1) **Requirements.** The JROTC Certificate may be renewed and may be issued when an applicant has met all of the following requirements:

(a) A recommendation on Form JRTC from a superintendent or administrator who wishes to employ the applicant as an JROTC instructor and certifies that the applicant has been recommended and approved by the military to serve as an JROTC instructor.

(b) A criminal history background check as required by the Alabama Child Protection Act of 1999, as amended, and Rule 290-3-2-.02(9).

(c) Completion of all requirements on Form JRTC.

(2) **Valid Period.** The valid period of the JROTC 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. It may be reissued by following the same procedure used in issuing the initial JROTC Certificate.

Author: Dr. Thomas R. Bice

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

History: Adopted new, 8-4-08, effective 9-18-08; repealed and adopted new 12-9-10, effective 1-14-11; emergency Rule to repeal filed 11-14-13; repealed and adopted new _____, effective _____.

SUPP. NO. 10-4
290-3-2-.28

TEACHER CERTIFICATION

290-3-2-.29 History

290.3-2-.28 Junior Reserve Officer Training Corps (JROTC) Certificate Approach.

(1) **Requirements.** The JROTC Certificate, which is valid for five years and may be renewed, may be issued when an applicant has met all of the following requirements:

(a) A recommendation on Supplement JRTC from a superintendent or administrator who wishes to employ the applicant as an JROTC instructor and certifies that the applicant has been recommended and approved by the military to serve as an JROTC instructor.

(b) A criminal history background check as required by the Alabama Child Protection Act of 1999, as amended, and Rule 290-3-2-.02(9).

(c) Completion of all requirements on Supplement JRTC.

(2) **Valid Period.** The valid period of the JROTC Certificate shall be five scholastic years (July 1 to June 30). It may be reissued by following the same procedure used in issuing the initial JROTC Certificate.

Author: Joseph B. Morton.

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

History: Adopted new, 8-4-08, effective 9-18-08; repealed and adopted new 12-9-10, effective 1-14-11.

290-3-2-.29 Child Nutrition Program Director Certificate Approach.

(1) **Requirements.** The Child Nutrition Program Director Certificate may be issued when an applicant has met all of the following requirements:

(a) A recommendation of the Alabama Department of Education (ALSDE) Child Nutrition Programs Office.

(b) A criminal history background check as required by the Alabama Child Protection Act of 1999, as amended, and Rule 290-3-2-.02(9).

(2) **Valid Period.** The valid period of the Child Nutrition Program Director Certificate shall be five scholastic years (July 1 to June 30). The certificate may be renewed upon application to the ALSDE Child Nutrition Programs Office. Renewal requirements in effect at the time of application must be met.

Author: Joseph B. Morton.

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

History: Adopted new, 8-4-08, effective 9-18-08; repealed and adopted new 12-9-10, effective 1-14-11.