



Guidance: Extended Emergency Teacher Certification

During the 2020 legislative session, Senate Bill 1115 **removed** the two-year limitation on emergency and provisional certificates and allowed the State Board of Education to continue to issue emergency and provisional certificates, in the same area of certification, beyond the previous two-year cap.

Criteria for Emergency/Provisional Teacher Certification for Year 3 and Beyond

The State Board of Education may issue an emergency or provisional teaching certificate for more than two years only if **all** the following criteria are met for **each year certification is sought**:

1. The individual has been previously granted an emergency or provisional certificate for two years.
2. The individual has not successfully completed the competency examinations required by this section.
3. The individual submits a portfolio of his or her work to the State Board of Education, which shall include evidence of progress toward standard certification. Portfolio submissions may include, but are not limited to, unsuccessful test results, successful test results, college credit earned, effective evaluations, evidence of study materials purchased, evidence of tutoring services used, subject-specific professional development, etc.
4. The employing school district board of education agrees to renew the individual's contract to teach for the ensuing fiscal year.
5. The superintendent of the employing school district submits to the State Board of Education the reason the emergency or provisional certificate should be renewed and provides evidence of the district's inability to hire a teacher who holds a standard certificate.

Additional Considerations

- The above criteria must be met for each year certification is sought. This includes evidence that the individual is making progress toward standard certification, a contract renewal offer and evidence the district tried to find a standard certified teacher.
- SB 1115 clarified teachers employed under an emergency or provisional certificate are not considered "career teachers" under the Teacher Due Process Act of 1990. However, a teacher on an emergency or provisional certificate would still be considered probationary and entitled to due process if the district seeks to terminate or non-renew the teacher's contract.
- However, language regarding the Teacher Due Process Act of 1990 in SB 1115 **does not allow** a district to employ emergency or provisionally certified teachers on a temporary contract beyond the four-semester limit imposed elsewhere in the law.

Questions? Please contact any more of the OSSBA legal team at 888.528.3571.

