ARTICLE 16. ISSUANCE AND REVOCATION OF VARIOUS LICENSES AND PERMITS

Rule 1. General Provisions

511 IAC 16-1-1 Certificates and licenses issued under prior rules; recognition

Authority: IC 20-28-2-6
Affected: IC 20-28

Sec. 1. (a) All licenses and certificates issued under the provisions of prior rules governing teacher education and certification shall remain in effect and shall retain the validity and coverage provided by the licenses or certificates. License holders completing requirements for renewals, additions, and conversion to a higher level license shall meet the provisions of this title.

(b) All life licenses issued under prior rules shall continue to be valid for the life of the holder.

(c) All provisional or standard licenses issued under prior rules shall be considered equivalent to the practitioner license.

(d) All persons who have begun an approved teacher preparation program for initial licensure under prior rules and regulations will have until August 31, 2019, to complete the program. Applications for licensure under prior rules, including evidence of successful completion of testing requirements, must be received by the department no later than December 31, 2019.

(e) A license that is valid on the first day of school in the school in which the license holder is employed is considered valid for the duration of that school year. *(Indiana State Board of Education; 511 IAC 16-1-1; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)*

511 IAC 16-1-2 Application fees; licensing fund

Authority: IC 20-28-2-6
Affected: IC 20-28-5-6

Sec. 2. (a) The following actions regarding a license, certificate, or permit shall have nonrefundable application fees:

(1) Issuance of an original license.
(2) Renewal.
(3) Add or delete a license area.
(4) Conversion to a professional license.
(5) Substitute certificate.
(6) Evaluation of a license.
(7) Evaluation of an out-of-state transcript, per licensing area.
(8) Duplicate.
(9) Degree change.
(10) Permit.

(b) Fees shall be as follows:

(1) For the substitute teacher permit, all applicable fees shall total sixteen dollars and thirty-two cents ($16.32).
(2) Each fee under subsection (a) other than the substitute teacher permit shall be thirty-six dollars and seventy-two cents ($36.72).

(c) An applicant may combine any two (2) or more actions for renewal, to add a license area, to drop a license area, or for conversion to a professional license in the same application, and pay a fee for only one (1) of the actions.

(d) An applicant may combine any one (1) or more actions for degree change in an application with any one (1) or more actions for renewal, to add a license area, to drop a license area, or for conversion to a professional license, and pay a fee for only one (1) of the actions.

(e) In the event that a fund for fees exists at the time the fees are due, an applicant shall pay the fees to the department, which shall deposit the fees in the licensing fund. *(Indiana State Board of Education; 511 IAC 16-1-2; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)*

Rule 2. Application Requirements; Out-of-State Applicant Procedures

511 IAC 16-2-1 Application requirements; Indiana graduates

Authority: IC 20-28-2-6
Affected: IC 20-28-5-3

Sec. 1. An applicant for an initial practitioner license shall provide the following to the department:
(1) A completed application according to the process established and published by the department.
(2) Documentation of passing scores on any required assessments. Each applicant shall request that the testing service send the official score report to the department.
(3) The established fee for issuance of the license.
(4) Proof of compliance with IC 20-28-5-3(c).
(5) IC 20-28-5-3(d).
(6) Any additional documentation as determined by the department or required by law.

(Indiana State Board of Education; 511 IAC 16-2-1; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)

511 IAC 16-2-2 Application requirements; out-of-state applicants

Authority: IC 20-28-2-6
Affected: IC 20-28-5-3

Sec. 2. An out-of-state applicant for an initial practitioner license shall submit the following materials to the department:
(1) A completed application according to the process established and published by the department.
(2) Documentation of passing scores on any required assessments. Each applicant shall request that the testing service send the official score report to the department.
(3) The established fee for evaluation.
(4) The established fee for issuance of the license.
(5) An official transcript from each institution of higher education attended.
(6) If applicable, a copy of a valid teaching license or a certificate of eligibility issued by another state.
(7) Any other documentation of eligibility as determined by the department.
(8) If the applicant has previous experience, documentation of the experience that includes the following:
(A) School setting and content area.
(B) Dates of employment.
(C) Accreditation status of the schools in which the applicant completed his or her teaching experience.
(D) Documentation of good standing in each experience.
(E) Proof of compliance with IC 20-28-5-3(c).
(F) IC 20-28-5-3(d).

(Indiana State Board of Education; 511 IAC 16-2-2; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)

511 IAC 16-2-3 Out-of-state applicants; eligibility; content

Authority: IC 20-28-2-6
Affected: IC 20-28

Sec. 3. An out-of-state applicant is eligible for an initial practitioner license if the applicant meets the following requirements:
(1) Successfully completes test requirements under 511 IAC 15-7-2(a) or comparable requirements as determined by the department.
(2) Meets one (1) of the following requirements:
(A) Holds a valid license or certificate of eligibility from a compact state and has completed a program approved by the compact state that is required for certification of education personnel in that compact state. The program must require completion of a baccalaureate degree and a supervised field experience.

(B) Holds a valid license or certificate of eligibility from a compact state that has agreed to Section III(B)(1) of the Interstate Compact Agreement and the applicant:

(i) holds a baccalaureate degree; and

(ii) completed an alternative certification program approved by the member state.

(C) Holds a bachelor's degree from a teacher education program approved by NCATE/CAEP or its successor, or a state accredited teacher preparation program in good standing.

(Indiana State Board of Education; 511 IAC 16-2-3; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)

511 IAC 16-2-4 Out-of-state teacher applicants; reciprocity

Authority: IC 20-28-2-6; IC 20-28-5-5
Affected: IC 20-28

Sec. 4. (a) An out-of-state applicant who does not qualify for a license under section 3 of this rule is eligible for an Indiana reciprocal permit if the applicant holds a valid license or certificate of eligibility issued by another state.

(b) Upon submission of documentation that requirements commensurate to Indiana's requirements have been met, an applicant eligible for a reciprocal permit under this section shall be issued a permit in the:

(1) content areas of the out-of-state license or certificate of eligibility that are equivalent to Indiana content areas; and

(2) school settings of the out-of-state license or certificate of eligibility that are equivalent to Indiana school settings.

(c) An initial practitioner license will be issued when all course work and proficiency assessment deficiencies have been corrected.

(d) A reciprocal permit is:

(1) valid for one (1) year; and

(2) renewable based on evidence of annual progress toward fulfillment of deficiencies.

(Indiana State Board of Education; 511 IAC 16-2-4; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)

511 IAC 16-2-5 Visiting teacher license

Authority: IC 20-28-2-6
Affected: IC 20-28

Sec. 5. (a) A visiting teacher license is a three (3) year nonrenewable license.

(b) An applicant is eligible for a visiting teacher license if the:

(1) applicant provides documentation from the Ministry of Education, or comparable office of the teacher's country of origin, that demonstrates the applicant:

(A) is of good moral character;

(B) is a citizen of another country who is in the United States or will be entering the United States, and whom an Indiana school corporation has agreed to employ as a teacher;

(C) holds the United States equivalent of the bachelor's degree from an accredited institution;

(D) has completed curriculum requirements as determined by the department to be equivalent to requirements under 511 IAC 15-1-2, 511 IAC 15-2-2, 511 IAC 15-3-2, 511 IAC 15-4-2, or 511 IAC 15-5-2;

(E) has teaching or related professional experience; and

(F) demonstrates English language proficiency;

(2) employing Indiana school superintendent approves an application for a visiting teacher license; and

(3) applicant provides the established fee to the department for the issuance of the license.

(c) The license shall include the content area or areas and school setting or settings for which the department determines equivalency under subsection (d).

(d) The department shall determine the equivalent content area or areas and school setting or settings of the visiting teacher license based on one (1) of the following:

(1) The content area or areas and school setting or settings listed on the license issued by another country.

(2) The applicant's curriculum under subsection (b)(1)(D).

(3) A minimum proficiency level of Advanced Low on the Certified American Council on the Teaching of Foreign Languages (ACTFL) Writing Proficiency Test (WPT) and Oral Proficiency Interview (OPI).

(e) This rule does not apply to teachers licensed in another country and employed by accredited Indiana schools through memoranda of understanding between the department and ministries of education of other countries. *(Indiana State Board of Education; 511 IAC 16-2-5; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)*

511 IAC 16-2-6 Dual credit teacher

Authority: IC 20-28-2-6
Affected: IC 20-28-11.5

Sec. 6. A teacher holding any license that makes them eligible to teach in a secondary setting may enter into a dual credit agreement with a higher education institution to teach a course for which dual credit may be awarded by that institution, if both of the following conditions are met:

(1) Completes a major of at least thirty-six (36) hours in the subject or a related subject to the area in which they will teach the dual credit course, holds a license for workplace specialist II or its equivalent, or meets the higher education institution's program standard for that course through an alternative route defined by the higher education institution.

(2) At least three (3) prior years of teaching experience.

(Indiana State Board of Education; 511 IAC 16-2-6; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)

511 IAC 16-2-7 Creditable experience for licensing

Authority: IC 20-28-2-6
Affected: IC 20-28

Sec. 7. (a) The minimum amount of service to be counted as one (1) year of creditable experience shall be the equivalent of one hundred twenty (120) full days acquired during the regular school calendar. A half-year shall be credited for service equivalent to sixty (60) full days or more, but less than one hundred twenty (120), acquired during the regular school calendar. Two (2) half-years of credit may be combined for credit not to exceed one (1) year. Not more than one (1) year of creditable service shall be granted for services rendered within a twelve (12) month period beginning July 1 and ending June 30.

(b) Active military experience shall qualify the holder of a license for extended validation of the license for a period equivalent to the time spent in active duty military service and not exceeding two (2) years providing the military service occurred during the validation period of the initial or practitioner license. Copies of military discharge papers must be submitted to the department to qualify for this extended validation.

(c) For licensure purposes, teaching experience is creditable if it is at the P-12 or postsecondary level at an accredited school or institution. *(Indiana State Board of Education; 511 IAC 16-2-7; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)*

Rule 3. License Revocation and Suspension

511 IAC 16-3-1 License revocation, suspension, surrender; authority; grounds; procedures

Authority: IC 20-28-2-6
Affected: IC 4-21.5-3; IC 20-28-2; IC 20-28-5-7

Sec. 1. (a) The department may suspend or revoke a license under IC 20-28-5-7 upon the written recommendation of the superintendent of public instruction.

(b) The state superintendent may recommend a period of suspension not to exceed three (3) years.

(c) If the license has not expired by the end of the period of suspension, and the department determines that the license holder has successfully completed all requirements for reinstating the license, the department shall reinstate the license for any remaining period upon the written request of the license holder.

(d) The validity period of a license shall not be extended and any renewal requirements shall not be waived at the time of reinstatement of a license suspended or revoked under subsection (a) or surrendered under subsection (g).

(e) The department may revoke a license under subsection (a) for an indeterminate period of time; provided, however, that the license holder may petition the department for reinstatement at any time subsequent to the passage of three (3) years calculated from the date of revocation.

(f) The department shall accept a license holder's voluntary surrender of the license as a suspended or revoked license under subsection (a).

(g) If, prior to seeking an initial teaching license or the renewal of a teaching license, an applicant has committed an act for which a teaching license may be suspended or revoked, the application may be denied on that basis. The applicant may petition for administrative review of that denial as allowed by IC 4-21.5-3, in which case a hearing, known as a fitness hearing, shall be held to determine the applicant's fitness to hold a teaching license.

(h) An individual who petitions the department for reinstatement of a revoked license and an individual required to participate in a fitness hearing under subsection (h) before receiving an initial practitioner license shall have the burden of proving fitness to hold a license. A petition for reinstatement shall be denied if reinstatement would violate any court order or court-approved agreement. In making a determination of fitness, the department shall consider the following factors:

(1) The likelihood the conduct or offense adversely affected, or would affect, students or fellow teachers, and the degree of adversity anticipated.

(2) The proximity or remoteness in time of the conduct or offense.

(3) The type of teaching credential held or sought by the individual.

(4) Extenuating or aggravating circumstances surrounding the conduct or offense.

(5) The likelihood of recurrence of the conduct or offense.

(6) The extent to which a decision not to issue the license would have a chilling effect on the individual's constitutional rights or the rights of other teachers.

(7) Evidence of rehabilitation, such as participation in counseling, self-help support groups, community service, gainful employment subsequent to the conduct or offense, and family and community support.

(i) IC 4-21.5-3 shall govern the following proceedings:

(1) A hearing on the suspension of a license under subsection (a).

(2) A hearing on the revocation of a license under subsection (e).

(3) A reinstatement hearing under subsection (f).

(4) A fitness hearing under subsection (h).

(j) The sanctions provided for under this section are intended to be remedial rather than punitive.

(k) Any proceeding under subsection (j) shall be conducted by an administrative law judge on behalf of the department. *(Indiana State Board of Education; 511 IAC 16-3-1; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)*

Rule 4. Permits

511 IAC 16-4-1 Emergency permits

Authority: IC 20-28-2-6
Affected: IC 20-28-11.5; IC 25-35.6-1-8.5

Sec. 1. (a) An emergency permit is valid only for the school year during which it is granted.

(b) To qualify for an emergency permit, the applicant must submit the following:

(1) An application for an emergency permit approved by an employing school superintendent between July 1 and February 1 of the school year for which the emergency permit is requested but not later than four (4) weeks after the applicant for the emergency permit begins service.

(2) Documentation from the employing school superintendent certifying an emergency need for the applicant in the content area or areas or the school setting or settings of the request.

(3) The established fee for issuance of the license.

(4) The license being renewed, if applicable.

(5) All necessary evidence of eligibility.

(6) Any additional documentation.

(7) An official transcript showing successful completion of a baccalaureate degree from an institution of higher education.

(c) The department may grant an applicant with an expired Indiana license a one-time nonrenewable emergency permit for continuing education if the applicant provides documentation that the applicant has not been employed as a full-time or part-time teacher, administrator, or school services personnel, not including substitute teacher, at any time during the school year prior to the date of application.

(d) An emergency permit is renewable annually in the same content area or areas or school setting or settings if the applicant provides documentation of progress in pursuit of completion of an approved program for licensure and completion of testing requirements.

(e) An applicant for an emergency permit in communication disorders under 511 IAC 15-6-24 shall comply with the requirements set forth in IC 25-35.6-1-8.5. *(Indiana State Board of Education; 511 IAC 16-4-1; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)*

511 IAC 16-4-2 Transition to teaching permit

Authority: IC 20-28-2-6
Affected: IC 20-28-4

Sec. 2. (a) A transition to teaching permit:

(1) is valid for three (3) years from the date of application; and

(2) may not be renewed.

(b) To qualify for a transition to teaching permit, the applicant must:

(1) meet all of the requirements of IC 20-28-4-5;

(2) be enrolled in an approved teacher preparation program that meets the requirements of IC 20-28-4-4;

(3) pass the basic skills assessment or an alternative as approved and published by the department and content area assessment prior to admission;

(4) provide documentation to the department that the applicant is enrolled in an approved transition to teaching program; and

(5) pass the pedagogy test as required under 511 IAC 15-17-2(a)(3).

(c) To obtain a transition to teaching permit, the applicant must submit the following:

(1) An application for a transition to teaching permit.

(2) The established fee for issuance of the license.

(3) An official transcript showing successful completion of a baccalaureate degree from an institution of higher education.

(4) Documentation from the licensing advisor where the program will be completed that the candidate has enrolled in an approved transition to teaching program in the subject area requested.

(d) Transition to teaching permits are valid for the remainder of the school year if the permit expires on a date after the beginning of the school year.

(e) Upon completion of the transition to teaching program established under 511 IAC 10.1-3, an applicant will receive the initial practitioner license recommended by the licensing advisor at the institution of higher education in which the program was completed.

(f) Before receiving the initial practitioner license, the applicant under a transition to teaching permit must complete the testing requirements set forth in subsection (b)(3). *(Indiana State Board of Education; 511 IAC 16-4-2; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)*

511 IAC 16-4-3 Substitute teacher permits

Authority: IC 20-28-2-6
Affected: IC 20-18-2-22; IC 20-28-5; IC 20-28-6

Sec. 3. (a) A substitute permit is a renewable three (3) year license issued upon application from the Indiana school district superintendent.

(b) A permit may be renewed upon application. *(Indiana State Board of Education; 511 IAC 16-4-3; filed Nov 18, 2014,*

3:51 p.m.: 20141217-IR-511130399FRA)

511 IAC 16-4-4 Substitute teacher permit; application

Authority: IC 20-28-2-6
Affected: IC 20-18-2-22; IC 20-28-5; IC 20-28-6

Sec. 4. (a) An application for a substitute permit must include the following:
(1) A completed application on the department-approved form.
(2) The established fee for issuance of the permit.
(b) An incomplete application will not be processed. A new fee may be required as a result of submitting an incomplete application. The applicant and the school district are responsible for any delays in licensing processing caused by the submission of an incomplete application. *(Indiana State Board of Education; 511 IAC 16-4-4; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)*

511 IAC 16-4-5 Substitute teacher; eligibility

Authority: IC 20-28-2-6
Affected: IC 20-18-2-22; IC 20-28-5; IC 20-28-6

Sec. 5. (a) A school district shall not employ persons holding a substitute permit when licensed teachers are available.
(b) Any person who holds a valid Indiana initial practitioner, practitioner license, proficient practitioner, standard, provisional, professional, and accomplished practitioner license, emergency permit, visiting teacher permit, adjunct teacher permit, reciprocal permit, or transition to teaching permit may serve as a substitute teacher.
(c) A person may not serve as a substitute teacher without a valid permit issued by the department unless the person meets the criteria of subsection (b).
(d) Substitute teaching experience shall not count as regular teaching experience.
(e) The substitute permit is valid only for the requesting school district, unless the school district has a reciprocity plan with another district.
(f) "Substitute teacher" means a teacher, as defined in IC 20-18-2-22:
(1) working in the public schools of Indiana; and
(2) holding a substitute permit issued by the department.
(Indiana State Board of Education; 511 IAC 16-4-5; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)

511 IAC 16-4-6 Career specialist permit

Authority: IC 20-28-2-6
Affected: IC 20-18-2-22; IC 20-28-11.5

Sec. 6. (a) A career specialist permit is a two (2) year renewable license at the secondary level.
(b) An applicant is eligible for a career specialist permit if the applicant:
(1) has a bachelor's degree with at least a 3.0 GPA on a 4.0 scale in a content area for which secondary licenses are issued;
(2) has passed content area licensure assessments required by the department to teach in the area which the applicant intends to teach;
(3) meets the occupational experience requirement provided in section 7 of this rule.
(c) The career specialist permit is renewable.
(1) For the initial renewal, candidates must submit evidence of completion of the pedagogy component under subsection (d) during the validity of the first two (2) year permit.
(2) For all subsequent renewals, candidates must submit a professional growth plan that is documentation of professional growth experiences. The professional growth plan must include a minimum of forty (40) professional growth experience points. The professional growth experience points shall be calculated with one (1) clock hour qualifying for one (1) professional growth experience point based on, but not limited to, the following activities:

(A) In-service workshops.
(B) Professional workshops and conferences.
(C) Mentoring by:
(i) teacher who holds accomplished, professional, proficient, or practitioner license;
(ii) building level administrator.
(D) Cooperating teacher for any college field experience including student teaching (thirty (30) professional growth points) and practicum experience (fifteen (15) professional growth points).
(E) Workshop presentation.
(F) Curriculum development.
(G) Educational committee membership.
(H) School accreditation activities.
(I) College credit: 1 semester hour = 15 professional growth points.
(J) Educational publication.
(K) Educational research.
(L) Participation in the school improvement planning process.
(M) Professional growth experiences that improve curriculum knowledge, instructional skill, classroom management skills, or any other professional growth experiences.
(3) To qualify for renewal, completed professional growth experience points must be verified by at least one (1) of the following:
(A) A building level administrator where the applicant is employed at the time of renewal.
(B) For permit holders who are unemployed, the department.
(4) The building level administrator or immediate supervisor shall provide written notice to the permit holder of the verification or the refusal to verify made in subsection (3) *[subdivision (3)]*.
(5) If an applicant is not employed at the time of renewal, the department shall verify or refuse to verify the applicant's professional growth experience points.
(6) The department shall provide written notice to the permit holder if the department denies a request under subsection (5) *[subdivision (5)]*.
(d) A career specialist pedagogy component must be completed and must address all of the following areas:
(1) Literacy for adolescents in content areas and across the curriculum based on scientifically-based reading research.
(2) Differentiation of instruction and instructional methods, including methods for students with exceptional needs.
(3) Classroom and behavioral management, including legal rights and responsibilities of teacher and student.
(4) Curriculum development, lesson planning, assessment strategies, and using data to inform instruction.
(5) Psychology of child development, including the development of exceptional needs students.
(6) Competence in multicultural awareness and technology as an aid to education.
(e) Coursework or training towards the pedagogy component must begin by or before the first month of teaching.
(f) The career specialist pedagogy component may be delivered through school-based professional development, college or university based course work or professional development, an entity that is not an institution of higher education, or a professional education organization.
(g) The provider of a pedagogy component must receive board approval by submitting a proposal to the department that outlines the program to be provided including content to be covered and the qualifications of individuals designing and providing the training. The department shall make recommendations to the board.
(h) Completion of the pedagogy component must be verified by the board-approved provider. *(Indiana State Board of Education; 511 IAC 16-4-6; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)*

511 IAC 16-4-7 Occupational experience requirements for career specialist permit

Authority: IC 20-28-2-6
Affected: IC 20-18-2-22; IC 20-28-11.5

Sec. 7. An applicant for any career specialist permit must meet the occupational experience requirements in this subsection.

"Occupational experience" means documented experience in the related to the specific licensing area that meets the following:

(1) Meets or exceeds six thousand (6,000) clock hours of occupational experience within the last five (5) years in the related to the specific licensing area requested on the license.

(2) Can be verified in one (1) of the following ways:

(A) A letter of work experience on company letterhead, including the following:

(i) Dates of employment.

(ii) Job duties and titles.

(iii) Number of hours completed.

(B) Self-employment verification by profit and loss statements from tax forms clearly indicating that area of employment is the same as what is requested on the license. The department may request other documentation, such as verification of the business through the Indiana Chamber of Commerce, to support the tax forms.

(Indiana State Board of Education; 511 IAC 16-4-7; filed Nov 18, 2014, 3:51 p.m.: 20141217-IR-511130399FRA)

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