

Virginia Board of Education Agenda Item



Agenda Item: Q

Date: October 27, 2016

Title	First Review of the Advisory Board on Teacher Education and Licensure's Recommendation to Amend the <i>Licensure Regulations for School Personnel</i> to Comply with House Bill 279 of the 2016 Virginia General Assembly (Exempt Action)		
Presenter	Mrs. Patty S. Pitts, Assistant Superintendent, Division of Teacher Education and Licensure		
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Purpose of Presentation:

Action required by state or federal law or regulation.

Previous Review or Action:

No previous review or action.

Action Requested:

Action will be requested at a future meeting. Specify anticipated date below:
November 17, 2016

Alignment with Board of Education Goals: Please indicate (X) all that apply:

	Goal 1: Accountability for Student Learning
	Goal 2: Rigorous Standards to Promote College and Career Readiness
	Goal 3: Expanded Opportunities to Learn
	Goal 4: Nurturing Young Learners
X	Goal 5: Highly Qualified and Effective Educators
	Goal 6: Sound Policies for Student Success
	Goal 7: Safe and Secure Schools
	Other Priority or Initiative. Specify:

Background Information and Statutory Authority:

Goal 5: In promulgating these regulations, the Board of Education is ensuring that the *Licensure Regulations for School Personnel* comport with the following legislation passed by the General Assembly:

[House Bill 279](#)

The 2016 General Assembly passed House Bill 279 that requires the Board of Education to provide for the issuance of a three-year license to qualified individuals to teach high school career and technical education courses in specific subject areas for no more than 50 percent of the instructional day or year, on average. [The bill references adding Section 22.1-299.5 to the *Code of Virginia*; however, the section added to the *Code of Virginia* is [22.1-299.6](#).]

CHAPTER 651

An Act to amend the Code of Virginia by adding a section numbered 22.1-299.5, relating to career and technical education; three-year licenses.*

*§ [22.1-299.6](#) of the *Code of Virginia* was added to establishing this license.

[H 279]

Approved April 1, 2016

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered § [22.1-299.6](#) [**changed to reflect accurate Code section**] as follows:

§§ [22.1-299.6](#). [**changed to reflect accurate Code section**] *Career and technical education; three-year licenses.*

A. Notwithstanding any provision of law to the contrary, the Board shall provide for the issuance of three-year licenses to qualified individuals to teach high school career and technical education courses in specific subject areas for no more than 50 percent of the instructional day or year, on average.

B. The Board shall issue a three-year license to teach high school career and technical education courses in a specific subject area to an individual who:

1. Submits an application to the Board, in the form prescribed by the Board, that includes a recommendation for such a license from the local school board;

2. Meets certain basic conditions for licensure as prescribed by the Board;

3. Meets one of the following requirements: (i) holds, at a minimum, a baccalaureate degree from a regionally accredited institution of higher education and has completed coursework in the career and technical education subject area in which the individual seeks to teach, (ii) holds the required professional license in the specific career and technical education subject area in which the individual seeks to teach, where applicable, or (iii) holds an industry certification credential, as that term is defined in § [22.1-298.1](#), in the specific career and technical education subject area in which the individual seeks to teach;

4. Has at least four years of full-time work experience or its equivalent in the specific career and technical education subject area in which the individual seeks to teach; and

5. Has obtained qualifying scores on the communication and literacy professional teacher's assessment prescribed by the Board.

C. The employing school board shall assign a mentor to supervise an individual issued a three-year license pursuant to this section during his first year of teaching.

D. Except as otherwise provided in subsection E, any individual issued a three-year license pursuant to this section may be granted subsequent three-year extensions of such license by the Board upon recommendation of the local school board.

E. Any individual issued a three-year license pursuant to this section who completes (i) nine semester hours of specialized professional studies credit from a regionally accredited institution of higher education or (ii) an alternative course of professional studies proposed by the local school board and approved by the Department of Education shall be granted a three-year extension of such license by the Board and may be granted subsequent three-year extensions of such license by the Board upon recommendation of the local school board. Any such specialized professional studies credit or alternative course of professional studies may be completed through distance learning programs and shall include human growth and development; curriculum, instructional, and technology procedures; and classroom and behavior management.

F. No three-year license issued by the Board pursuant to this section shall be deemed a provisional license or a renewable license, as those terms are defined in § 22.1-298.1.

G. Individuals issued a three-year license pursuant to this section shall not be eligible for continuing contract status while teaching under such license and shall be subject to the probationary terms of employment specified in § 22.1-303.

H. The provisions of this article and of Board regulations governing the denial, suspension, cancellation, revocation, and reinstatement of licensure shall apply to three-year licenses issued pursuant to this section.

I. The Board shall report at least triennially to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health on the issuance of three-year licenses pursuant to this section by high school, local school division, and career and technical education subject area.

Summary of Important Issues:

The *Licensure Regulations for School Personnel* must be revised to provide for the issuance of a three-year license to qualified individuals to teach high school career and technical education courses in specific subject areas for no more than 50 percent of the instructional day or year, on average.

On September 19, 2016, the Advisory Board on Teacher Education and Licensure approved a recommendation to the Board of Education to amend the *Licensure Regulations for School Personnel* to comport with House Bill 279 of the 2016 Virginia General Assembly. Attached is a copy of the proposed amendments to the regulations.

Impact on Fiscal and Human Resources:

The administrative processes required in promulgating these regulations will be absorbed within existing resources.

Timetable for Further Review/Action:

The proposed amendments to the *Licensure Regulations for School Personnel* will be presented to the Board of Education for final review on November 17, 2016. The timetable for further action will be governed by the requirements of the Administrative Process Act. The Department of Education will notify school divisions of the revisions to the regulations when they become final, pursuant to the requirements of the Administrative Process Act.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education receive for first review the Advisory Board on Teacher Education and Licensure's recommended amendments to the *Licensure Regulations for School Personnel*.

ATTACHMENT

Proposed Amendments to the *Licensure Regulations for School Personnel* 8VAC20-22-10 et seq.

**PROPOSED AMENDMENTS TO THE LICENSURE REGULATIONS FOR SCHOOL
PERSONNEL TO CONFORM TO
HOUSE BILL 279 OF THE 2016 GENERAL ASSEMBLY
(Reference: Section 22.1-299.6 of the *Code of Virginia*)**

8VAC20-22-10. Definitions.

Part I. Definitions

The following words and terms when used in this chapter shall have the following meanings indicated unless the context clearly implies otherwise:

"Accredited institution" means an institution of higher education accredited by a regional accrediting agency recognized by the United States Department of Education.

"Alternate route to licensure" means a nontraditional route to licensure available to individuals who meet the criteria specified in 8VAC20-22-90.

"Approved program" means a professional education program recognized as meeting state standards for the content and operation of such programs so graduates of the program will be eligible for state licensure. The Board of Education has the authority to approve programs in Virginia.

"Cancellation" means the withdrawal of a teaching license following the voluntary return of the license by the license holder.

"Career and technical education (three-year) license means a nonrenewable license issued for a three-year validity period to individuals to teach high school career and technical education courses in specific subject areas for no more than 50 percent of the instructional day or year, on average, and who meet the specific criteria specified in 8VAC20-22-50. Individuals issued this license shall not be eligible for continuing contract status while teaching under such license. The Board shall report at least triennially to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health on the issuance of these three-year licenses..."

8VAC20-22-40. Conditions for Licensure.

A. Applicants for licensure must:

1. Be at least 18 years of age;
2. Pay the appropriate fees as determined by the Board of Education and complete the application process;
3. Have earned a baccalaureate degree (with the exception of the Technical Professional License) from a regionally accredited institution of higher education and meet requirements for the license sought. Persons seeking initial licensure who graduate from Virginia institutions of higher education shall only be licensed as instructional personnel by the Board of Education if the endorsement areas offered at such institutions have been assessed by a national accrediting agency or by a state approval process with final approval by the Board of Education; and

4. Possess good moral character (free of conditions outlined in Part VII (8VAC20-22-690 et seq.) of this chapter.

B. All candidates who hold at least a baccalaureate degree from a regionally accredited college or university and who seek an initial Virginia teaching license must obtain passing scores on professional teacher's assessments prescribed by the Board of Education. With the exception of the career switcher program that requires assessments as prerequisites, individuals must complete the professional teacher's assessments within the three-year validity of the initial provisional license. Candidates seeking a Technical Professional License, the International License, the School Manager License, or the Pupil Personnel Services License are not required to take the professional teacher's assessments. Individuals who hold a valid out-of-state license (full credential with no deficiencies) and who have completed a minimum of three years of full-time, successful teaching experience in a public or accredited nonpublic school (kindergarten through grade 12) in a state other than Virginia are exempted from the professional teacher's assessment requirements.

C. All individuals seeking an initial endorsement in early/primary education preK-3, elementary education preK-6, special education-general curriculum, special education-hearing disorders, special education-visual impairments and individuals seeking an endorsement as a reading specialist must obtain passing scores on a reading instructional assessment prescribed by the Board of Education.

D. Licensure by reciprocity is set forth in 8VAC20-22-100. A school leader's assessment prescribed by the Board of Education must be met for all individuals who are seeking an initial endorsement authorizing them to serve as principals and assistant principals in the public schools. Individuals seeking an initial administration and supervision endorsement who are interested in serving as central office instructional personnel are not required to take and pass the school leaders assessment prescribed by the Board of Education.

E. Individuals seeking initial licensure must demonstrate proficiency in the use of educational technology for instruction, complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board of Education in consultation with the Department of Social Services, and receive professional development in instructional methods tailored to promote student academic progress and effective preparation for the Standards of Learning end-of-course and end-of-grade assessments.

F. Every person seeking initial licensure of a license shall provide evidence of completion of certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators. The certification or training program shall be based on the current national evidenced-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross. The Virginia Board of Education shall provide a waiver for this requirement for any person with a disability whose disability prohibits such person from completing the certification or training.

G. Every teacher seeking an initial license in the Commonwealth with an endorsement in the area of career and technical education shall have an industry certification credential, as defined in 8VAC20-22-10, in the area in which the teacher seeks endorsement. If a teacher seeking an initial license in the Commonwealth has not attained an industry certification credential in the area in which the teacher seeks endorsement, the board may, upon request of the employing school division or educational

agency, issue the teacher a provisional license to allow time for the teacher to attain such credential.

8VAC20-22-50. Types of Licenses; Dating Licenses.

A. The following types of licenses are available:

1. **Provisional License.** The Provisional License is a nonrenewable license valid for a period not to exceed three years issued to an individual who has allowable deficiencies for full licensure as set forth in these regulations. The individual must have a minimum of an undergraduate degree from a regionally accredited college or university (with the exception of those individuals seeking the Technical Professional License). The Provisional License, with the exception of those individuals seeking licensure through a career switcher program, will be issued for three years. Individuals must complete the requirements for the regular, five-year license within the validity period of the Provisional License.
2. **Collegiate Professional License.** The Collegiate Professional License is a five-year, renewable license available to an individual who has satisfied all requirements for licensure, including an earned undergraduate degree from a regionally accredited college or university and the professional teacher's assessments prescribed by the Board of Education.
3. **Postgraduate Professional License.** The Postgraduate Professional License is a five-year, renewable license available to an individual who has qualified for the Collegiate Professional License and who holds an appropriate earned graduate degree from a regionally accredited college or university.
4. **Technical Professional License.** The Technical Professional License is a five-year, renewable license available to a person who has graduated from an accredited high school (or possesses a General Education Development Certificate); has exhibited academic proficiency, skills in literacy and communication, technical competency, and occupational experience; and has completed nine semester hours of specialized professional studies credit from a regionally accredited college or university. The nine semester hours of professional studies coursework must include human growth and development (three semester hours), curriculum and instructional procedures (three semester hours), and applications of instructional technology or classroom and behavior management (three semester hours). The Technical Professional License is issued at the recommendation of an employing educational agency in the areas of career and technical education, educational technology, and military science. Individuals seeking military science must have the appropriate credentials issued by the United States military. In addition to demonstrating competency in the endorsement area sought, the individual must:
 - a. Hold a license issued by the appropriate Virginia board for those program areas requiring a license and a minimum of two years of satisfactory experience at the journeyman level or an equivalent;
 - b. Have completed a registered apprenticeship program and two years of satisfactory experience at the journeyman level or an equivalent level in the trade; or
 - c. Have four years of work experience at the management or supervisory level or equivalent or have a combination of four years of training and work experience at the management or supervisory level or equivalent.

Individuals holding the Technical Professional License who seek the Collegiate Professional or Postgraduate Professional License must meet the professional teacher's assessments requirement.

5. School Manager License. The school manager license is a five-year, renewable license intended to provide for the differentiation of administrative responsibilities in a school setting. A school manager is licensed to administer noninstructional responsibilities in an educational setting. For example, a school manager is restricted from evaluating teachers, supervising instruction, developing and evaluating curriculum, and serving as a school's student disciplinarian. The license is available to a candidate who holds a baccalaureate degree from a regionally accredited college or university; has three years of successful managerial experience; and is recommended for the license by a Virginia school division superintendent.

6. Pupil Personnel Services License. The Pupil Personnel Services License is a five-year, renewable license available to an individual who has earned an appropriate graduate degree from a regionally accredited college or university with an endorsement for guidance counselor, school psychologist, school social worker, or vocational evaluator. This license does not require teaching experience.

7. Division Superintendent License. The Division Superintendent License is a five-year, renewable license available to an individual who has completed an earned master's degree from a regionally accredited college or university and meets the requirements specified in 8VAC20-22-600. The individual's name must be listed on the Board of Education's list of eligible division superintendents.

8. International Educator License. The International Educator License provides a three-year cultural exchange opportunity for Virginia students and international teachers. The International Educator License is a professional, teaching license issued for no more than three years to an exchange educator with citizenship in a nation other than the United States of America, and employed as an educator in a Virginia public or accredited nonpublic school, to teach for up to three consecutive years. This license does not require professional teacher's assessments; however, the individual will be subject to assessment requirements if the individual seeks a five-year renewable license. To be issued the International Educator License an individual must:

- a. Be employed by a Virginia public or accredited nonpublic school;
- b. Hold non-U.S. citizenship and be a nonpermanent resident;
- c. Serve as an exchange teacher for a time period not to exceed three consecutive years; and
- d. Meet the following requirements as verified by a state-approved, federally-designated Exchange Visitor Program (22 CFR Part 62):
 - (1) Be proficient in written and spoken English;
 - (2) Demonstrate competence in the appropriate academic subject area(s);
 - (3) Hold the U.S. equivalent of a baccalaureate degree or higher as determined by an approved credential agency; and
 - (4) Hold U.S. or foreign educator credentials and completed at least one year of successful teaching experience that:
 - (a) Enables the educator to fulfill a similar assignment in his home country; or
 - (b) Is comparable to those requirements for Virginia teachers.

9. Teach For America License. The Teach For America License is a two-year provisional license.
- a. This provisional license is available to any participant in Teach For America, a nationwide nonprofit organization focused on closing the achievement gaps between students in high-income and low-income areas, who submits an application and meets the following requirements:
 - (1) Holds, at minimum, a baccalaureate degree from a regionally accredited institution of higher education;
 - (2) Has met the requirements prescribed by the Virginia Board of Education for all endorsements sought or has met the qualifying scores on the content area assessment prescribed by the board for the endorsements sought;
 - (3) Possesses good moral character according to criteria developed by the Virginia Board of Education;
 - (4) Has been offered and has accepted placement in Teach For America;
 - (5) Has successfully completed pre-service training and is participating in the professional development requirements of Teach For America, including teaching frameworks, curricula, lesson planning, instructional delivery, classroom management, assessment and evaluation of student progress, classroom diversity, and literacy development;
 - (6) Has an offer of employment from a local school board to teach in a public elementary or secondary school in the Commonwealth or a preschool program that receives state funds pursuant to subsection C of § 22.1-199.1 of the Code of Virginia; and
 - (7) Receives a recommendation from the employing school division for a Teach For America License in the endorsement area in which the individual seeks to be licensed.
 - b. In addition to the criteria set forth in subdivision a of this subdivision 9, any individual who seeks an endorsement in early childhood, early/primary, or elementary education shall either (i) agree to complete such coursework in the teaching of reading as may be prescribed by the Virginia Board of Education pursuant to 8VAC20-22-130 during the first year of employment or (ii) achieve a passing score on a reading instructional assessment prescribed by the Virginia Board of Education.
 - c. Teachers issued a Teach For America provisional license shall not be eligible for continuing contract status while employed under the authority of a Teach For America license and shall be subject to the probationary terms of employment specified in § 22.1-303 of the Code of Virginia.
 - d. The Virginia Board of Education may extend any Teach For America License for one additional year upon request of the employing school division, provided that no Teach For America License shall exceed a total of three years in length.
 - e. Notwithstanding any provision of law to the contrary, upon completion of at least two year of full-time teaching experience in a public elementary or secondary school in the Commonwealth or a preschool program that receives state funds pursuant to subsection C of § 22.1-199.1 of the

Code of Virginia, an individual holding a Teach For America License shall be eligible to receive a renewable license if he has (i) achieved satisfactory scores on all professional teacher assessments required by the Virginia Board of Education and (ii) received satisfactory evaluations at the conclusion of each year of employment.

f. Notwithstanding any provision of law to the contrary, the Virginia Board of Education shall issue a Teach For America License to any individual who (i) has completed two years of successful teaching in the Teach For America program in another state, (ii) is not eligible to receive a renewable license, and (iii) meets the criteria in subdivision a of this subdivision 9.

10. Career and Technical Education (Three-Year) License: The Career and Technical Education (Three-Year) License is a nonrenewable license issued for a three-year validity period.

a. The Career and Technical Education (Three-Year) License is available to individuals who have been employed to teach high school career and technical education courses in specific subject areas for no more than 50 percent of the instructional day or year, on average, and who meet the following requirements:

(1) Submits an application in the form prescribed by the Board, that includes a recommendation for such a license from the local school board;

(2) Meets certain basic conditions for licensure as outlined in 8VAC20-22-40;

(3) Meets one of the following:

(i) holds, at a minimum, a baccalaureate degree from a regionally accredited institution of higher education and has completed coursework in the career and technical education subject area in which the individual seeks to teach;
or

(ii) holds the required professional license in the specific career and technical education subject area in which the individual seeks to teach, where applicable; or

(iii) holds an industry certification credential, as that term is defined in § 22.1-298.1, in the specific career and technical education subject area in which the individual seeks to teach;

(4) Has at least four years of full-time work experience or its equivalent in the specific career and technical education subject area in which the individual seeks to teach; and

(5) Has obtained qualifying scores on the communication and literacy professional teacher's assessment prescribed by the Board.

b. The employing school board shall assign a mentor to supervise an individual issued a three-year license pursuant to this section during the first year of teaching.

c. Except as otherwise provided in subsection d, any individual issued a three-year license pursuant to this section may be granted subsequent three-year extensions of such license by the Board upon recommendation of the local school board.

d. Any individual issued a three-year license pursuant to this section who completes:

(1) nine semester hours of specialized professional studies credit from a regionally accredited institution of higher education; or (2) an alternative course of professional studies proposed by the local school board and approved by the Department of Education shall be granted a three-year extension of such license by the Board and may be granted subsequent three-year extensions of such license by the Board upon recommendation of the local school board. Any such specialized professional studies credit or alternative course of professional studies may be completed through distance learning programs and shall include human growth and development; curriculum, instructional, and technology procedures; and classroom and behavior management.

e. No three-year license issued by the Board pursuant to this section shall be deemed a provisional license or a renewable license, as those terms are defined in § [22.1-298.1](#).

f. Individuals issued a three-year license pursuant to this section shall not be eligible for continuing contract status while teaching under such license and shall be subject to the probationary terms of employment specified in § [22.1-303](#).

g. The provisions of §[22.1-299.6](#) and of Board regulations governing the denial, suspension, cancellation, revocation, and reinstatement of licensure shall apply to three-year licenses issued pursuant to this section.

h. The Board shall report at least triennially to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health on the issuance of three-year licenses pursuant to this section by high school, local school division, and career and technical education subject area.

B. All licenses will be effective from July 1 in the school year in which the application is made. A Virginia employing education division or agency is required to notify employees in writing at the time of employment of the need to meet appropriate assessment requirements for licensure.