

**H. B. 2905**

(By Delegate McGeehan)

[Introduced February 24, 2015; referred to the  
Committee on Education.]

A BILL to amend and reenact §18A-3-2a of the Code of West Virginia, 1931, as amended, relating to athletic coaches in public schools; eliminating the requirement that schools select currently employed professional educators over other applicants for extracurricular coaching positions.

*Be it enacted by the Legislature of West Virginia:*

That §18A-3-2a of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 3. TRAINING, CERTIFICATION, LICENSING, PROFESSIONAL DEVELOPMENT.**

**§18A-3-2a. Certificates valid in the public schools that may be issued by the state superintendent.**

In accordance with state board rules for the education of professional educators adopted pursuant to section one of this article and subject to the limitations and conditions of that section, the state superintendent may issue the following certificates valid in the public schools of the state:

1 (a) *Professional teaching certificates.* --

2 (1) A professional teaching certificate for teaching in the public schools may be issued to a  
3 person who meets the following conditions:

4 (A) Holds at least a bachelor's degree from an accredited institution of higher education in  
5 this state, and

6 (i) Has completed a program for the education of teachers which meets the requirements  
7 approved by the state board; or

8 (ii) Has met equivalent standards at institutions in other states and has passed appropriate  
9 state board approved basic skills and subject matter tests or has completed three years of successful  
10 experience within the last seven years in the area for which licensure is being sought; or

11 (B) Holds at least a bachelor's degree in a discipline taught in the public schools from an  
12 accredited institution of higher education, and

13 (i) Has passed appropriate state board approved basic skills and subject matter tests; or

14 (ii) Has completed three years of successful experience within the last seven years in the area  
15 for which licensure is being sought; and

16 (I) Has completed an alternative program for teacher education approved by the state board,

17 (II) Is recommended for a certificate in accordance with the provisions of sections one-a and  
18 one-b of this article relating to the program, or

19 (III) Is recommended by the state superintendent based on documentation submitted.

20 (2) The certificate shall be endorsed to indicate the grade level or levels or areas of  
21 specialization in which the person is certified to teach or to serve in the public schools.

22 (3) The initial professional certificate is issued provisionally for a period of three years from

1 the date of issuance:

2 (A) The certificate may be converted to a professional certificate valid for five years subject  
3 to successful completion of a beginning teacher internship or induction program, if applicable; or

4 (B) The certificate may be renewed subject to rules adopted by the state board.

5 (b) *Alternative program teacher certificate.* -- An alternative program teacher certificate may  
6 be issued to a candidate who is enrolled in an alternative program for the education of teachers in  
7 accordance with the provisions of section one-a of this article.

8 (1) The certificate is valid only for the alternative program position in which the candidate  
9 is employed and is subject to enrollment in the program.

10 (2) The certificate is valid for one year and may be renewed for each of the following two  
11 consecutive years only.

12 (c) *Professional administrative certificate.* --

13 (1) A professional administrative certificate, endorsed for serving in the public schools, with  
14 specific endorsement as a principal, vocational administrator, supervisor of instructions or  
15 superintendent, may be issued to a person who has completed requirements all to be approved by the  
16 state board as follows:

17 (A) Holds at least a master's degree from an institution of higher education accredited to offer  
18 a master's degree; and

19 (i) Has successfully completed an approved program for administrative certification  
20 developed by the state board in cooperation with the chancellor for higher education, and

21 (ii) Has successfully completed education and training in evaluation skills through the center  
22 for professional development, or equivalent education and training in evaluation skills approved by

1 the state board, and

2 (iii) Possesses three years of management level experience.

3 (2) Any person serving in the position of dean of students on June 4, 1992, is not required  
4 to hold a professional administrative certificate.

5 (3) The initial professional administrative certificate is issued provisionally for a period of  
6 five years. This certificate may be converted to a professional administrative certificate valid for five  
7 years or renewed, subject to the regulations of the state board.

8 (d) *Paraprofessional certificate.* -- A paraprofessional certificate may be issued to a person  
9 who meets the following conditions:

10 (1) Has completed thirty-six semester hours of post-secondary education or its equivalent in  
11 subjects directly related to performance of the job, all approved by the state board; and

12 (2) Demonstrates the proficiencies to perform duties as required of a paraprofessional as  
13 defined in section eight, article four of this chapter.

14 (e) *Other certificates; permits.* --

15 (1) Other certificates and permits may be issued, subject to the approval of the state board,  
16 to persons who do not qualify for the professional or paraprofessional certificate.

17 (2) A certificate or permit may not be given permanent status and a person holding one of  
18 these credentials shall meet renewal requirements provided by law and by regulation, unless the state  
19 board declares certain of these certificates to be the equivalent of the professional certificate.

20 (3) Within the category of other certificates and permits, the state superintendent may issue  
21 certificates for persons to serve in the public schools as athletic coaches or coaches of other  
22 extracurricular activities, whose duties may include the supervision of students, subject to the

1 following limitations:

2 (A) The person is employed under a contract with the county board of education.

3 (i) The contract specifies the duties to be performed, specifies a rate of pay that is equivalent  
4 to the rate of pay for professional educators in the district who accept similar duties as extra duty  
5 assignments, and provides for liability insurance associated with the activity; and

6 (ii) The person holding this certificate is not considered an employee of the board for salary  
7 and benefit purposes other than as specified in the contract; and

8 ~~(B) A currently employed certified professional educator has not applied for the position; and~~

9 ~~(C)~~ (B) The person completes an orientation program designed and approved in accordance  
10 with state board rules.

11 (f) *Teacher-In-Residence Permit*. --

12 (1) A teacher-in-residence permit may be issued to a candidate who is enrolled in a teacher-  
13 in-residence program in accordance with an agreement between an institution of higher education  
14 and a county board. The agreement is developed pursuant to subsection (f), section one of this article  
15 and requires approval by the state board.

16 (2) The permit is valid only for the teacher-in-residence program position in which the  
17 candidate is enrolled and is subject to enrollment in the program. The permit is valid for no more  
18 than one school year and may not be renewed.

NOTE: The purpose of this bill is to eliminate the requirement that schools select currently employed professional educators over other applicants for extracurricular coaching positions.

Strike-throughs indicate language that would be stricken from the present law, and

underscoring indicates new language that would be added.