

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 14

BY SENATORS RUCKER, ROBERTS, TAKUBO, MARONEY,

AND SWOPE

[Passed February 26, 2021; in effect 90 days from passage (May 27, 2021)]

1 AN ACT to amend and reenact §18A-3-2a of the Code of West Virginia, 1931, as amended,
2 relating to creating a third set of conditions for which a person may be issued a
3 professional teaching certificate for teaching in the public schools; and providing that
4 teaching certificates granted pursuant to the new set of conditions are equivalent to
5 certificates granted to graduates of teacher preparation programs at public higher
6 education institutions.

Be it enacted by the Legislature of West Virginia:

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

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

1 In accordance with state board rules for the education of professional educators adopted
2 pursuant to §18A-3-1 if this code and subject to the limitations and conditions of that section, the
3 State Superintendent may issue the following certificates valid in the public schools of the state:

4 (a) *Professional teaching certificates.* —

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

7 (A) Holds at least a bachelor's degree from a regionally accredited institution of higher
8 education, and:

9 (i) Has passed appropriate state board approved basic skills and subject matter tests in
10 the area for which licensure is being sought; and

11 (ii) Has completed a program for the education of teachers which meets the requirements
12 approved by the state board; or

13 (iii) Has met equivalent standards at institutions in other states; or

14 (iv) Has completed three years of successful teaching experience within the last seven
15 years under a license issued by another state in the area for which licensure is being sought; or

16 (v) Has completed an alternative program approved by another state; or

17 (B) Holds at least a bachelor's degree from an accredited institution of higher education,

18 and:

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

20 (ii) Has completed an alternative program for teacher education as provided in this article;

21 and

22 (iii) Is recommended for a certificate in accordance with the provisions of §18A-3-1i of this
23 code relating to the program; and

24 (iv) Is recommended by the State Superintendent based on documentation submitted; or

25 (C) Holds a bachelor's degree from an accredited institution of higher education, and:

26 (i) Submits to a criminal history check pursuant to §18A-3-10 of this code: *Provided*, That
27 information discovered during the criminal history check may form the basis for the denial of a
28 certificate for just cause; and

29 (ii) Successfully completes pedagogical training or a pedagogical course or courses in
30 substantive alignment with nationally recognized pedagogical standards, or approved or
31 established by the state board; and

32 (iii) Passes the same subject matter and competency test or tests required by the state
33 board for traditional program applicants for licensure.

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

36 (3) The initial professional certificate is issued provisionally for a period of three years from
37 the date of issuance:

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

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

41 (4) Teaching certificates granted pursuant to §18A-3-2a(a)(1)(C) of this code shall be
42 equivalent to certificates granted to graduates of teacher preparation programs at public higher
43 education institutions.

44 (b) *Alternative program teacher certificate.* — An alternative program teacher certificate
45 may be issued to a candidate who is enrolled in an alternative program for teacher education
46 approved by the state board.

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

49 (2) The certificate is valid while the candidate is enrolled in the alternative program, up to
50 a maximum of three years, and may not be renewed.

51 (c) *Professional administrative certificate.* —

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

56 (A) Holds at least a master's degree from an institution of higher education accredited to
57 offer a master's degree, and:

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

60 (ii) Has successfully completed education and training in evaluation skills through the
61 Center for Professional Development, or equivalent education and training in evaluation skills
62 approved by the state board; and

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

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

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

69 (d) *Paraprofessional certificate.* — A paraprofessional certificate may be issued to a
70 person who meets the following conditions:

71 (1) Has completed 36 semester hours of post-secondary education or its equivalent in
72 subjects directly related to performance of the job, all approved by the state board; and

73 (2) Demonstrates the proficiencies to perform duties as required of a paraprofessional as
74 defined in §18A-4-8 of this code.

75 (e) *Other certificates; permits.* —

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

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

82 (3) Within the category of other certificates and permits, the State Superintendent may
83 issue certificates for persons to serve in the public schools as athletic coaches or coaches of other
84 extracurricular activities, whose duties may include the supervision of students, subject to the
85 following limitations:

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

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

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

92 (B) The person completes an orientation program designed and approved in accordance
93 with state board rules.

94 (f) *Teacher-in-residence permit.* —

95 (1) A teacher-in-residence permit may be issued to a candidate who is enrolled in a
96 teacher-in-residence program in accordance with an agreement between an institution of higher
97 education and a county board. The agreement is developed pursuant to §18A-3-1(e) of this code
98 and requires approval by the state board.

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

102 (g) *Temporary teaching certificates for armed forces spouses.* —

103 (1) A temporary teaching certificate for an armed forces spouse may be issued to an
104 individual who meets the following criteria:

105 (A) He or she is married to a member of the armed forces of the United States who is on
106 active duty;

107 (B) He or she holds a current unencumbered teaching certificate or license issued by an
108 equivalent credentialing department, board, or authority, as determined by the State
109 Superintendent, in another state of the United States, the District of Columbia, Puerto Rico, the
110 United States Virgin Islands, another territory or protectorate of the United States or a foreign
111 country; and

112 (C) He or she provides proof acceptable to the State Superintendent that his or her spouse
113 is assigned to a duty station in this state or at a military installation within 50 air miles of the West
114 Virginia border and that he or she is also assigned to a duty station in this state or at a military
115 installation within 50 air miles of the West Virginia border under his or her spouse's official active
116 duty military orders.

117 (2) The State Superintendent shall deny a temporary teaching certificate to an individual
118 described in paragraph (1) of this subdivision for fraud, material misrepresentation or concealment
119 in the person's application for a temporary teaching certificate or for a conviction for which an
120 individual's teaching certificate may be revoked under §18A-3-6 of this code.

121 (3) A temporary teaching certificate issued under paragraph (1) of this subdivision is valid
122 for one year and may be renewed for additional one-year terms if the State Superintendent
123 determines the individual holding the temporary teaching certificate continues to meet the
124 requirements of paragraph (1) of this subdivision. The State Superintendent may revoke a
125 temporary teaching certificate for a conviction for which an individual's teaching certificate may
126 be revoked under §18A-3-6 of this code.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

The within this the.....
Day of, 2021.

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Governor