

# **WEST VIRGINIA LEGISLATURE**

**2024 REGULAR SESSION**

**Introduced**

## **Senate Bill 859**

BY SENATOR GRADY

[Introduced February 19, 2024; referred  
to the Committee on Education]



1 A BILL to amend and reenact §18A-3-2a of the Code of West Virginia, 1931, as amended, relating  
2 to limiting persons required to pass appropriate West Virginia Board of Education  
3 approved basic skills and subject matter tests in the area for which licensure is being  
4 sought as a condition for the issuance of a professional teaching certificate.

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

8 (i) Has passed appropriate state board approved basic skills and subject matter tests in  
9 the area for which licensure is being sought: Provided, That this requirement is only applicable to  
10 persons who have not completed a bachelor's degree program for the education of teachers  
11 pursuant to subparagraphs (ii) or (iii) of this paragraph and those who are in or have completed a  
12 bachelor's degree program for the education of teachers pursuant to subparagraphs (ii) or (iii) of  
13 this paragraph, but have attained less than a 3.0 grade point average on a 4.0 grading scale; and

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

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

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

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

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

21 and:

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

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

24 and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

54 (c) *Professional administrative certificate.* —

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

97 (f) *Clinical Teacher of Record Permit.* —

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

102 (2) The permit is valid only for the clinical teacher of record program position in which the  
103 candidate is enrolled and is subject to enrollment in the program. The permit is valid for no more  
104 than one school year and may not be renewed.

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

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

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

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

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

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

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