

VIRGINIA ACTS OF ASSEMBLY -- 2000 SESSION

CHAPTER 689

An Act to amend and reenact §§ 22.1-298, 22.1-299, and 22.1-303 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-299.3, relating to teacher licensure.

[S 113]

Approved April 8, 2000

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-298, 22.1-299, and 22.1-303 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-299.3 as follows:

§ 22.1-298. Regulations governing licensure.

A. The Board of Education shall, by regulation, prescribe the requirements for licensure of teachers. Regardless of the authority of any other agency of the Commonwealth to approve educational programs, only the Board of Education shall have the authority to license teachers to be regularly employed by school boards, including those teachers employed to provide nursing education.

B. Such regulations shall include a requirement that:

1. Every teacher seeking initial licensure take a professional teacher's examination prescribed by the Board;

2. Persons seeking licensure on and after July 1, 2000, complete study in attention deficit disorder and gifted education, including the use of multiple criteria to identify gifted students;

3. Persons seeking initial licensure on and after July 1, 2002, complete study in, among other things, (i) methods of improving communication between schools and families; (ii) ways of increasing family involvement in student learning at home and in school; and (iii) the Standards of Learning;

4. Persons seeking licensure with endorsements as teachers of the blind and visually impaired on and after July 1, 2000, demonstrate proficiency in reading and writing Braille;

5. Persons seeking initial licensure on and after July 1, 2003, complete study 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;

6. Persons seeking licensure renewal on and after July 1, 2004, receive training 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; and

7. On and after July 1, 2003, persons seeking initial licensure or license renewal as teachers demonstrate proficiency in the use of educational technology for instruction.

C. Notwithstanding any provision of law to the contrary, the Board may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any person who does not meet the requirements of this section or any other requirement for licensure imposed by law.

D. The Board's licensure regulations shall also require that licensure for superintendents and principals, on and after July 1, 2000, be contingent upon acquiring the skills established in the Board's leadership standards.

E. Persons seeking initial licensure who graduate from Virginia institutions of higher education shall, on and after July 1, 2002, 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 accreditation by the Board of Education.

F. The Board shall prescribe a professional teacher's examination for administration by Virginia's public institutions of higher education as provided in § 23-9.2:3.4 to persons seeking entry into teacher education programs in such public institutions and shall establish a minimum passing score for such examination. The examination shall be sufficiently rigorous and the minimum score set as necessary to ensure that candidates have adequate academic and professional preparation to teach.

Candidates who fail to achieve the minimum score established by the Board shall not be denied entrance into the relevant teacher education programs solely on the basis of such failure and shall have the opportunity to address any deficiencies if enrolled in such program. Before completing any approved teacher education program, candidates must achieve the minimum score on the test prescribed by the Board.

The Board of Education, in consultation with the State Council on Higher Education, shall develop guidelines for performance reports to be submitted by the public institutions of higher education pursuant to § 23-9.2:3.4. Such reports shall include annual data on the pass rates, by institution, of graduates of Virginia's institutions of higher education taking the state licensure examination and shall not include any information identifying individual graduates.

G. Notwithstanding the provisions of this section and the Board's authority to license teachers, local school boards shall be authorized to issue valid three-year local eligibility licenses pursuant to

§ 22.1-299.3.

H. Upon the expiration of a three-year local eligibility license, the holder of such license shall be eligible, as appropriate for the degree issued to such person, for a collegiate professional license or a postgraduate professional license to be issued by the Department of Education upon satisfaction of the following conditions: (i) recommendation by the division superintendent and the school board for such licensure; (ii) the completion of three successful years of teaching experience while holding a valid three-year local eligibility license as certified by the division superintendent and school board; (iii) achieving a satisfactory score on the professional teacher's examinations required by the Board; and (iv) such standards as may be prescribed by the Board of Education.

§ 22.1-299. License required of teachers.

No teacher shall be regularly employed by a school board or paid from public funds unless such teacher holds a license or provisional license issued by the Board of Education or a three-year local eligibility license issued by a local school board pursuant to § 22.1-299.3. In accordance with regulations prescribed by the Board, a person not meeting the requirements for a license or provisional license may be employed and paid from public funds by a school board temporarily as a substitute teacher to meet an emergency.

§ 22.1-299.3. Three-year local eligibility license.

A. Local school boards shall be authorized, upon recommendation of the local superintendent, to issue a valid three-year nonrenewable local eligibility license to classroom teacher candidates in accordance with the following criteria:

1. No more than ten percent of the classroom teachers employed by the relevant local school division shall hold such local licenses, based on the number of classroom teachers employed by such school division during the preceding school year.

2. The applicant for a three-year local eligibility license shall have earned a baccalaureate degree from an accredited institution of higher education and shall have such experience or training in a subject or content area as the local school board and superintendent may deem appropriate for the intended teaching assignment.

3. The holder of a three-year local eligibility license shall be required to complete such training within the three-year licensure period as may be specified by the division superintendent, the school board, and standards prescribed by the Board of Education which shall include, but need not be limited to, curriculum and instruction, including educational technology, reading, and other specific course content relating to the Standards of Learning, differentiation of instruction, classroom/behavior management, and human growth and development.

4. The local eligibility license shall only be valid within the issuing school division.

5. No local eligibility license shall be issued if the teacher candidate/applicant is eligible for a collegiate professional or postgraduate professional license issued by the Department of Education.

6. Teachers issued a three-year local eligibility license shall be considered probationary teachers, shall not be eligible for continuing contract status while employed under the authority of a local license, and shall be subject to the probationary terms of employment specified in § 22.1-303.

B. Except as specified in this section and § 22.1-303, a teacher employed while holding a local eligibility license shall be entitled and subject to all other requirements and rights provided by law or regulation.

C. Any teacher employed pursuant to a local eligibility license shall be issued a collegiate professional or postgraduate professional license upon the expiration of the local eligibility license upon satisfaction of the following conditions: (i) recommendation by the division superintendent and the school board for such licensure; (ii) the completion of three successful years of teaching experience while holding a valid three-year local eligibility license as certified by the division superintendent and the school board; (iii) achieving a satisfactory score on the professional teacher's examinations required by the Board; and (iv) such standards as may be prescribed by the Board of Education.

D. Local school boards shall provide to the Board of Education information about teachers receiving local eligibility licenses and other data related to the local school division's issuance of eligibility licenses as prescribed by the Board. The Board is authorized to revoke and reinstate a local school board's authority to issue local eligibility licenses upon a determination of any violation of this section.

§ 22.1-303. Probationary terms of service for teachers.

A. A probationary term of service for three years in the same school division shall be required before a teacher is issued a continuing contract. School boards shall provide each probationary teacher except probationary teachers who have prior successful teaching experience, as determined by the local school board in a school division, a mentor teacher, as described by Board guidelines developed pursuant to § 22.1-305.1, during the first year of the probationary period, to assist such probationary teacher in achieving excellence in instruction. During the probationary period, such probationary teacher shall be evaluated annually based upon the evaluation procedures developed by the employing school board for use by the division superintendent and principals in evaluating instructional personnel as required by § 22.1-295 B. The division superintendent shall consider such evaluations, among other things, in making any recommendations to the school board regarding the nonrenewal of such probationary

teacher's contract as provided in § 22.1-305.

If the teacher's performance evaluation during the probationary period is not satisfactory, the school board shall not reemploy the teacher; however, nothing contained in this subsection shall be construed to require cause, as defined in § 22.1-307, for the nonrenewal of the contract of a teacher who has not achieved continuing contract status.

B. Once a continuing contract status has been attained in a school division in the Commonwealth, another probationary period need not be served in any other school division unless such probationary period, not to exceed one year, is made a part of the contract of employment. Further, when a teacher has attained continuing contract status in a school division in the Commonwealth, and separates from and returns to teaching service in a school division in Virginia by the beginning of the third year, such teacher shall be required to serve a probationary period not to exceed one year, if made a part of the contract for employment.

C. For the purpose of calculating the three years of service required to attain continuing contract status, at least 160 contractual teaching days during the school year shall be deemed the equivalent of one year in the first year of service by a teacher.

D. Teachers holding three-year local eligibility licenses pursuant to § 22.1-299.3 shall not be eligible for continuing contract status while teaching under the authority of such license. Upon attainment of a collegiate professional or postgraduate professional license issued by the Department of Education, such teachers shall serve the three-year probationary period prior to being eligible for continuing contract status pursuant to this section.