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HOUSE BILL NO. 325

Offered January 11, 2012

Prefiled January 10, 2012

A BILL to amend and reenact § 22.1-298.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-298.3, relating to teachers and aides of students with autism spectrum disorders.

Patrons—Massie, Crockett-Stark, Helsel and Torian

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-298.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-298.3 as follows:

§ 22.1-298.1. Regulations governing licensure.

A. As used in this section:

"Alternate route to licensure" means a nontraditional route to teacher licensure available to individuals who meet the criteria specified in the regulations issued by the Board of Education.

"Licensure by reciprocity" means a process used to issue a license to an individual coming into Virginia from another state when that individual meets certain conditions specified in the Board of Education's regulations.

"Professional teacher's assessment" means those tests mandated for licensure as prescribed by the Board of Education.

"Provisional license" means a nonrenewable license issued by the Board of Education for a specified period of time, not to exceed three years, to an individual who may be employed by a school division in Virginia and who generally meets the requirements specified in the Board of Education's regulations for licensure, but who may need to take additional coursework or pass additional assessments to be fully licensed with a renewable license.

"Renewable license" means a license issued by the Board of Education for five years to an individual who meets the requirements specified in the Board of Education's regulations.

B. The Board of Education shall prescribe, by regulation, the requirements for the licensure of teachers and other school personnel required to hold a license. Such regulations shall include requirements for the denial, suspension, cancellation, revocation, and reinstatement of licensure. The Board of Education shall revoke the license of any person for whom it has received a notice of dismissal or resignation pursuant to subsection F of § 22.1-313 and, in the case of a person who is the subject of a founded complaint of child abuse or neglect, after all rights to any appeal provided by § 63.2-1526 have been exhausted. 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.

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.

C. The Board of Education's regulations shall include requirements that a person seeking initial licensure:

1. Complete professional assessments as prescribed by the Board of Education;
2. Complete study in attention deficit disorder;
3. Complete study in gifted education, including the use of multiple criteria to identify gifted students; and
4. Complete study in methods of improving communication between schools and families and ways of increasing family involvement in student learning at home and at school.

D. In addition, such regulations shall include requirements that:

1. Every person seeking initial licensure or renewal of a license demonstrate proficiency in the use of educational technology for instruction;
2. Every person seeking initial licensure and persons seeking licensure renewal as teachers who have not completed such study shall 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 that are relevant to the specific teacher licensure routes;
3. Every person seeking initial licensure or renewal of a license shall receive professional

59 development in instructional methods tailored to promote student academic progress and effective
60 preparation for the Standards of Learning end-of-course and end-of-grade assessments; ~~and~~

61 4. Every person seeking licensure with an endorsement as a teacher of the blind and visually
62 impaired shall demonstrate proficiency in reading and writing Braille; *and*

63 5. *By September 1, 2014, every person seeking initial licensure or renewal of a license with an*
64 *endorsement in special education and who has the primary responsibility for students with autism*
65 *spectrum disorders shall demonstrate proficiency in student behavior management.*

66 E. The Board's regulations shall require that initial licensure for principals and assistant principals be
67 contingent upon passage of an assessment as prescribed by the Board.

68 F. The Board shall establish criteria in its regulations to effectuate the substitution of experiential
69 learning for coursework for those persons seeking initial licensure through an alternate route as defined
70 in Board regulations.

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

74 H. The Board's licensure regulations shall also provide for licensure by reciprocity:

75 1. With comparable endorsement areas for those individuals holding a valid out-of-state teaching
76 license and national certification from the National Board for Professional Teaching Standards or a
77 nationally recognized certification program approved by the Board of Education. The application for
78 such individuals shall require evidence of such valid licensure and national certification and shall not
79 require official student transcripts;

80 2. For individuals who have obtained a valid out-of-state license, with full credentials and without
81 deficiencies, that is in force at the time the application for a Virginia license is received by the
82 Department of Education. The individual must establish a file in the Department of Education by
83 submitting a complete application packet, which shall include official student transcripts. An assessment
84 of basic skills as provided in § 22.1-298.2 and service requirements shall not be imposed for these
85 licensed individuals; however, other licensing assessments, as prescribed by the Board of Education,
86 shall be required; and

87 3. The Board may include other provisions for reciprocity in its regulations.

88 § 22.1-298.3. *Students with autism spectrum disorders; training required of personnel.*

89 *By September 1, 2014, from such funds as may be appropriated for such purposes, each local school*
90 *division shall provide training in student behavior management for the following personnel:*

91 1. *In the amount of 40 hours for any aide assigned to work with a teacher who has primary*
92 *responsibility for students with autism spectrum disorders, prior to the aide assuming such*
93 *responsibility; and*

94 2. *In the amount of 12 hours for any employee of the school board, including but not limited to*
95 *vehicle operators and aides, physical education and arts teachers, and librarians, with primary oversight*
96 *of students with autism spectrum disorders, prior to the employee assuming such responsibility.*

97 *The training shall meet the requirements set forth by the Board of Education. In developing such*
98 *requirements, the Board of Education shall consider the recommendations of the Virginia Autism*
99 *Council.*