

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-298.1 of the Code of Virginia, relating to teacher licensure;*  
3 *reciprocity; spouses of Armed Forces members.*

4 [S 103]  
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**  
7 **1. That § 22.1-298.1 of the Code of Virginia is amended and reenacted as follows:**  
8 **§ 22.1-298.1. Regulations governing licensure.**

9 A. As used in this section:  
10 "Alternate route to licensure" means a nontraditional route to teacher licensure available to  
11 individuals who meet the criteria specified in the regulations issued by the Board of Education.

12 "Industry certification credential" means an active career and technical education credential that is  
13 earned by successfully completing a Board of Education-approved industry certification examination,  
14 being issued a professional license in the Commonwealth, or successfully completing an occupational  
15 competency examination.

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

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

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

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

28 B. The Board of Education shall prescribe, by regulation, the requirements for the licensure of  
29 teachers and other school personnel required to hold a license. Such regulations shall include  
30 requirements for the denial, suspension, cancellation, revocation, and reinstatement of licensure and  
31 procedures for the immediate and thorough investigation by the division superintendent or his designee  
32 of any complaint alleging that a license holder has engaged in conduct that may form the basis for the  
33 revocation of his license. At a minimum, such procedures for investigations contained in such  
34 regulations shall require (i) the division superintendent to petition for the revocation of the license upon  
35 completing such investigation and finding that there is reasonable cause to believe that the license holder  
36 has engaged in conduct that forms the basis for revocation of a license; (ii) the school board to proceed  
37 to a hearing on such petition for revocation within 90 days of the mailing of a copy of the petition to  
38 the license holder, unless the license holder requests the cancellation of his license in accordance with  
39 Board regulations; and (iii) the school board to provide a copy of the investigative file and such petition  
40 for revocation to the Superintendent of Public Instruction at the time that the hearing is scheduled. The  
41 Board of Education shall revoke the license of any person for whom it has received a notice of  
42 dismissal or resignation pursuant to subsection F of § 22.1-313 and, in the case of a person who is the  
43 subject of a founded complaint of child abuse or neglect, after all rights to any administrative appeal  
44 provided by § 63.2-1526 have been exhausted. Regardless of the authority of any other agency of the  
45 Commonwealth to approve educational programs, only the Board of Education shall have the authority  
46 to license teachers to be regularly employed by school boards, including those teachers employed to  
47 provide nursing education.

48 The Board of Education shall prescribe by regulation the licensure requirements for teachers who  
49 teach only online courses, as defined in § 22.1-212.23. Such license shall be valid only for teaching  
50 online courses. Teachers who hold a five-year renewable license issued by the Board of Education may  
51 teach online courses for which they are properly endorsed.

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

- 54 1. Complete professional assessments as prescribed by the Board of Education;
- 55 2. Complete study in attention deficit disorder;
- 56 3. Complete study in gifted education, including the use of multiple criteria to identify gifted

57 students; and

58 4. Complete study in methods of improving communication between schools and families and ways  
59 of increasing family involvement in student learning at home and at school.

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

61 1. Every person seeking initial licensure or renewal of a license demonstrate proficiency in the use of  
62 educational technology for instruction;

63 2. Every person seeking initial licensure and persons seeking licensure renewal as teachers who have  
64 not completed such study shall complete study in child abuse recognition and intervention in accordance  
65 with curriculum guidelines developed by the Board of Education in consultation with the Department of  
66 Social Services that are relevant to the specific teacher licensure routes;

67 3. Every person seeking initial licensure or renewal of a license shall receive professional  
68 development in instructional methods tailored to promote student academic progress and effective  
69 preparation for the Standards of Learning end-of-course and end-of-grade assessments;

70 4. Every person seeking renewal of a license shall complete all renewal requirements, including  
71 professional development in a manner prescribed by the Board, except that no person seeking renewal of  
72 a license shall be required to satisfy any such requirement by completing coursework and earning credit  
73 at an institution of higher education;

74 5. Every person seeking initial licensure or renewal of a license shall provide evidence of completion  
75 of certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of  
76 automated external defibrillators. The certification or training program shall (i) be based on the current  
77 national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and  
78 the use of an automated external defibrillator, such as a program developed by the American Heart  
79 Association or the American Red Cross, and (ii) include hands-on practice of the skills necessary to  
80 perform cardiopulmonary resuscitation. The Board shall provide a waiver for this requirement for any  
81 person with a disability whose disability prohibits such person from completing the certification or  
82 training;

83 6. Every person seeking licensure with an endorsement as a teacher of the blind and visually  
84 impaired shall demonstrate proficiency in reading and writing Braille;

85 7. Every teacher seeking an initial license in the Commonwealth with an endorsement in the area of  
86 career and technical education shall have an industry certification credential in the area in which the  
87 teacher seeks endorsement. If a teacher seeking an initial license in the Commonwealth has not attained  
88 an industry certification credential in the area in which the teacher seeks endorsement, the Board may,  
89 upon request of the employing school division or educational agency, issue the teacher a provisional  
90 license to allow time for the teacher to attain such credential;

91 8. Every person seeking initial licensure or renewal of a license shall complete awareness training,  
92 provided by the Department of Education, on the indicators of dyslexia, as that term is defined by the  
93 Board pursuant to regulations, and the evidence-based interventions and accommodations for dyslexia;  
94 and

95 9. Every person seeking initial licensure or renewal of a license with an endorsement as a school  
96 counselor shall complete training in the recognition of mental health disorder and behavioral distress,  
97 including depression, trauma, violence, youth suicide, and substance abuse.

98 E. Each local school board or division superintendent may waive for any individual whom it seeks to  
99 employ as a career and technical education teacher and who is also seeking initial licensure or renewal  
100 of a license with an endorsement in the area of career and technical education any applicable  
101 requirement set forth in subsection C or subdivision D 1, 3, 4, 6, or 8.

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

104 G. The Board shall establish criteria in its regulations to effectuate the substitution of experiential  
105 learning for coursework for those persons seeking initial licensure through an alternate route as defined  
106 in Board regulations.

107 H. Notwithstanding any provision of law to the contrary, the Board (i) may provide for the issuance  
108 of a provisional license, valid for a period not to exceed three years, pursuant to subdivision D 7 or to  
109 any person who does not meet the requirements of this section or any other requirement for licensure  
110 imposed by law and (ii) shall provide for the issuance of a provisional license, valid for a period not to  
111 exceed three years, to any former member of the Armed Forces of the United States or the Virginia  
112 National Guard who has received an honorable discharge and has the appropriate level of experience or  
113 training but does not meet the requirements for a renewable license.

114 I. The Board's licensure regulations shall also provide for licensure by reciprocity:

115 1. With comparable endorsement areas for those individuals holding a valid out-of-state teaching  
116 license and national certification from the National Board for Professional Teaching Standards or a  
117 nationally recognized certification program approved by the Board of Education. The application for

118 such individuals shall require evidence of such valid licensure and national certification and shall not  
119 require official student transcripts;

120 *2. For any spouse of an active duty member of the Armed Forces of the United States or the*  
121 *Commonwealth who has obtained a valid out-of-state license, with full credentials and without*  
122 *deficiencies, that is in force at the time the application for a Virginia license is received by the*  
123 *Department of Education. Each such individual shall establish a file in the Department of Education by*  
124 *submitting a complete application packet, which shall include official student transcripts. No service*  
125 *requirements or licensing assessments shall be required for any such individual; and*

126 *3. For individuals who have obtained a valid out-of-state license, with full credentials and without*  
127 *deficiencies, that is in force at the time the application for a Virginia license is received by the*  
128 *Department of Education. The individual must establish a file in the Department of Education by*  
129 *submitting a complete application packet, which shall include official student transcripts. An assessment*  
130 *of basic skills as provided in § 22.1-298.2 and service requirements shall not be imposed for these*  
131 *licensed individuals. Other licensing assessments, as prescribed by the Board of Education, shall be*  
132 *required, but any such individual shall be exempt from any professional teacher's assessment*  
133 *requirements, subject to the approval of the division superintendent or the school board in the school*  
134 *division in which such individual is employed; and*

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