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SENATE BILL NO. 76

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Delegate Landes
on March 2, 2018)

(Patron Prior to Substitute—Senator Favola)

A BILL to amend and reenact §§ 22.1-298.1 and 22.1-298.2 of the Code of Virginia, relating to teacher licensure; education preparation programs; provisional licensure.

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-298.1 and 22.1-298.2 of the Code of Virginia are amended and reenacted 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.

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

"Licensure by reciprocity" means a process used to issue a license to an individual coming into the Commonwealth 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 the Commonwealth 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 and procedures for the immediate and thorough investigation by the division superintendent or his designee of any complaint alleging that a license holder has engaged in conduct that may form the basis for the revocation of his license. At a minimum, such procedures for investigations contained in such regulations shall require (i) the division superintendent to petition for the revocation of the license upon completing such investigation and finding that there is reasonable cause to believe that the license holder has engaged in conduct that forms the basis for revocation of a license; (ii) the school board to proceed to a hearing on such petition for revocation within 90 days of the mailing of a copy of the petition to the license holder, unless the license holder requests the cancellation of his license in accordance with Board regulations; and (iii) the school board to provide a copy of the investigative file and such petition for revocation to the Superintendent of Public Instruction at the time that the hearing is scheduled. 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 administrative 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.

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

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

60 students; and

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

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

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

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

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

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

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

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

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

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

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

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

105 F. Any local school board or division superintendent may waive the *Virginia Communication and*
106 *Literacy Assessment* for any individual it employs as a foreign language teacher who holds a
107 provisional license. Such individuals shall be eligible for full licensure, provided that all other
108 requirements are met.

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

111 ~~G.~~ H. The Board shall establish criteria in its regulations to effectuate the substitution of experiential
112 learning for coursework for those persons seeking initial licensure through an alternate route as defined
113 in Board regulations.

114 ~~H.~~ I. Notwithstanding any provision of law to the contrary, the Board (i) may provide for the
115 issuance of a provisional license, valid for a period not to exceed three years, pursuant to subdivision D
116 7 or to any person who does not meet the requirements of this section or any other requirement for
117 licensure imposed by law and (ii) shall provide for the issuance of a provisional license, valid for a
118 period not to exceed three years, to any former member of the Armed Forces of the United States or the
119 Virginia National Guard who has received an honorable discharge and has the appropriate level of
120 experience or training but does not meet the requirements for a renewable license.

121 ~~I.~~ J. The Board's licensure regulations shall also provide for licensure by reciprocity:

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

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

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

§ 22.1-298.2. Regulations governing education preparation programs.

A. As used in this section:

"Assessment of basic skills" means an assessment prescribed by the Board of Education that an individual must take prior to admission into an approved education preparation program, as prescribed by the Board of Education in its regulations.

"Education preparation program" includes four-year bachelor's degree programs in teacher education.

B. Education preparation programs shall meet the requirements for accreditation and program approval as prescribed by the Board of Education in its regulations.

C. The Board of Education regulations shall provide for education preparation programs offered by institutions of higher education, Virginia public school divisions, and certified providers for alternate routes to licensure.

D. The Board shall prescribe an assessment of basic skills for individuals seeking entry into an approved education preparation program and shall establish a minimum passing score for such assessment. The Board also may prescribe other requirements for admission to Virginia's approved education preparation programs in its regulations.

E. The Board shall establish accountability measures for approved education programs. Data shall be submitted to the Board on not less than a biennial basis.