

1 **Senate Bill No. 120**

2 (By Senators Miller and Laird)

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4 [Introduced February 13, 2013; referred to the Committee on  
5 Education.]  
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10 A BILL to amend and reenact §18A-3-2a of the Code of West Virginia,  
11 1931, as amended, relating to issuance of a barrister's  
12 certificate to teach course-specific curricula in West  
13 Virginia public schools.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §18A-3-2a of the Code of West Virginia, 1931, as amended,  
16 be amended and reenacted to read as follows:

17 **ARTICLE 3. TRAINING, CERTIFICATION, LICENSING, PROFESSIONAL**  
18 **DEVELOPMENT.**

19 **§18A-3-2a. Certificates valid in the public schools that may be**  
20 **issued by the state superintendent.**

21 In accordance with state board rules for the education of  
22 professional educators adopted pursuant to section one of this

1 article and subject to the limitations and conditions of that  
2 section, the state superintendent may issue the following  
3 certificates valid in the public schools of the state:

4 (a) *Professional teaching certificates.* --

5 (1) A professional teaching certificate for teaching in the  
6 public schools may be issued to a person who meets the following  
7 conditions:

8 (A) Holds at least a bachelor's degree from an accredited  
9 institution of higher education in this state, and

10 (i) Has completed a program for the education of teachers  
11 which meets the requirements approved by the state board; or

12 (ii) Has met equivalent standards at institutions in other  
13 states and has passed appropriate state board approved basic skills  
14 and subject matter tests or has completed three years of successful  
15 experience within the last seven years in the area for which  
16 licensure is being sought; or

17 (B) Holds at least a bachelor's degree in a discipline taught  
18 in the public schools from an accredited institution of higher  
19 education, and

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

22 (ii) Has completed three years of successful experience within  
23 the last seven years in the area for which licensure is being

1 sought; and

2 (I) Has completed an alternative program for teacher education  
3 approved by the state board,

4 (II) Is recommended for a certificate in accordance with the  
5 provisions of sections one-a and one-b of this article relating to  
6 the program, or

7 (III) Is recommended by the state superintendent based on  
8 documentation submitted.

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

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

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

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

21 (b) *Alternative program teacher certificate.* -- An alternative  
22 program teacher certificate may be issued to a candidate who is  
23 enrolled in an alternative program for the education of teachers in

1 accordance with the provisions of section one-a of this article.

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

5       (2) The certificate is valid for one year and may be renewed  
6 for each of the following two consecutive years only.

7       (c) *Professional administrative certificate.* --

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

13       (A) Holds at least a master's degree from an institution of  
14 higher education accredited to offer a master's degree; and

15       (i) Has successfully completed an approved program for  
16 administrative certification developed by the state board in  
17 cooperation with the chancellor for higher education, and

18       (ii) Has successfully completed education and training in  
19 evaluation skills through the center for professional development,  
20 or equivalent education and training in evaluation skills approved  
21 by the state board, and

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

23       (2) Any person serving in the position of dean of students on

1 June 4, 1992, is not required to hold a professional administrative  
2 certificate.

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

8 (d) Barrister's certificate. -- A barrister's certificate may  
9 be issued to a person: (A) Admitted to the practice of law in West  
10 Virginia pursuant to the rules promulgated by the Supreme Court of  
11 Appeals of West Virginia; (B) in good standing with the West  
12 Virginia State Bar; and (C) demonstrates to the state  
13 superintendent the professional experience necessary to serve as a  
14 volunteer professional educator in course-specific curricula. The  
15 certificate shall be endorsed to indicate the grade level or levels  
16 or areas of specialization in which the person is certified to  
17 professionally teach or to serve in the public schools. Any person  
18 teaching under a barrister's certificate may teach on a  
19 noncompensated basis only.

20 ~~(d)~~ (e) Paraprofessional certificate. -- A paraprofessional  
21 certificate may be issued to a person who meets the following  
22 conditions:

23 (1) Has completed thirty-six semester hours of post-secondary

1 education or its equivalent in subjects directly related to  
2 performance of the job, all approved by the state board; and

3       (2) Demonstrates the proficiencies to perform duties as  
4 required of a paraprofessional as defined in section eight, article  
5 four of this chapter.

6       ~~(e)~~ (f) *Other certificates; permits.* --

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

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

15       (3) Within the category of other certificates and permits, the  
16 state superintendent may issue certificates for persons to serve in  
17 the public schools as athletic coaches or coaches of other  
18 extracurricular activities, whose duties may include the  
19 supervision of students, subject to the following limitations:

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

22       (i) The contract specifies the duties to be performed,  
23 specifies a rate of pay that is equivalent to the rate of pay for

1 professional educators in the district who accept similar duties as  
2 extra duty assignments, and provides for liability insurance  
3 associated with the activity; and

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

7 (B) A currently employed certified professional educator has  
8 not applied for the position; and

9 (C) The person completes an orientation program designed and  
10 approved in accordance with state board rules.

11 ~~(f)~~ (g) *Teacher-In-Residence Permit.* --

12 (1) A teacher-in-residence permit may be issued to a candidate  
13 who is enrolled in a teacher-in-residence program in accordance  
14 with an agreement between an institution of higher education and a  
15 county board. The agreement is developed pursuant to subsection  
16 (f), section one of this article and requires approval by the state  
17 board.

18 (2) The permit is valid only for the teacher-in-residence  
19 program position in which the candidate is enrolled and is subject  
20 to enrollment in the program. The permit is valid for no more than  
21 one school year and may not be renewed.

NOTE: The purpose of this bill is to permit the issuance of a

barrister's certificate to teach course specific curricula in West Virginia public schools.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.