

Senate Bill No. 5

(By Senators Nohe, Karnes, Sypolt, Trump, Walters, Blair, Plymale, Cole (Mr. President) and Takubo)

[Introduced January 14, 2015; referred to the Committee on Education.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §18A-3-1d and §18A-3-1e; and to amend and reenact §18A-3-2a of said code, all relating to creating a teacher corps program; providing for teacher certificates; setting forth qualifications and conditions to be met; providing for recommendation for professional certification of teacher corps teachers; requiring evaluation reports; permitting state superintendent to issue teacher corps teaching certificate; and defining terms.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto two new sections, designated §18A-3-1d and §18A-3-1e; and that §18A-3-2a of said code be amended and reenacted, all to read as follows:

ARTICLE 3. TRAINING, CERTIFICATION, LICENSING, PROFESSIONAL DEVELOPMENT.

§18A-3-1d. Teacher corps program and teaching certificate.

1 (a) *Definitions.* – For the purposes of this section:

2 “Teacher corps teaching certificate” means a certificate issued to a candidate who has been
3 admitted to a program designated as a teaching corps pursuant to this section, assigned to teach in
4 West Virginia, and who does not meet the standard educational requirements for teacher
5 certification.

6 “Teacher corps program” means a program that:

7 (1) Includes a group of college graduates who commit to teach for at least two years in
8 low-income communities in the United States;

9 (2) Is designed to increase the supply of effective teachers in low-income communities and
10 has the capacity to provide teachers for high-need fields;

11 (3) Is designed to meet the specific teacher needs of a district or districts and the needs of
12 high-need areas, including rural areas;

13 (4) Recruits college graduates from across the United States to teach in high-need, urban and
14 rural schools;

15 (5) Provides high-quality professional development that is sustained, intensive and classroom
16 focused both prior to and while teaching and intensive supervision that consists of structured
17 guidance and regular ongoing support; and

18 (6) Includes the following phases of training and on-going support:

19 (A) A preservice training institute of not less than one month in duration in which instruction
20 in the areas of student assessment, development and learning, classroom management and
21 instructional planning and delivery are provided, alongside clinical training.

22 (B) Phase 1 consists of regular on-the-job supervision and mentorship by members of the

1 professional support team for the first semester of teaching, as well as a program of on-going
2 professional preparation and development offered by the teacher corps program.

3 (C) Phase II consists of regular on-the-job supervision and mentorship by members of the
4 professional support team for the second semester of teaching, as well as a program of on-going
5 professional preparation and development offered by the teacher corps program. At the completion
6 of this phase, the teacher corps teacher shall receive an evaluation by the principal and receive a
7 professional development plan to further improve skills.

8 (D) Phase III consists of an additional period of on-going supervision and evaluation and
9 takes place during the second year of teaching. The professional support team shall determine the
10 requirements of this phase, but those requirements shall include at least one formal evaluation by the
11 principal at the conclusion of this phase.

12 (E) The phases of training shall be accompanied by teacher corps members completing a
13 minimum of eighteen semester hours of instruction in the areas of student assessment; development
14 and learning; curriculum, classroom management; the use of educational computers and other
15 technology; and special education and diversity. At least three semester hours shall be in the area
16 of special education and diversity. Subject to approval by the state board, a teacher corps program
17 may provide instruction equivalent to the eighteen semester hours required by this paragraph through
18 nontraditional methods, including but not limited to methods such as a series of modules covering
19 various topics, electronically delivered instruction, summer sessions, professional development and
20 job-embedded mentoring.

21 (7) Has been approved by the state board under subsection (b) of this section.

22 "Teacher corps member" means an individual who has been admitted to a teacher corps

1 program to be a teacher in West Virginia and who is in the process of completing a two-year
2 commitment as part of the corps.

3 (b) *Designation of teacher corps program.* – Upon written request to the state board, the state
4 board shall determine whether a program qualifies as a teacher corps program under the definition
5 set forth in subsection (a) of this section and whether a group is otherwise compatible with the
6 requirements of this section. If the state board determines that the group qualifies under the
7 definition and is otherwise compatible with the requirements of this section, the board shall
8 designate the group as a teacher corps program for the purposes of this section.

9 (c) *Teacher corps teaching certificate.* --

10 (1) To serve as teacher of record under this section, the candidate must hold a teacher corps
11 teaching certificate issued by the state superintendent and endorsed for the instructional field in
12 which the candidate seeks certification.

13 (2) The certificate is issued for two years and may be renewed for one additional year, and
14 no individual may hold a teacher corps teacher certificate for a period exceeding three years. The
15 teacher corps teacher certificate is equivalent to a professional teaching certificate for the purpose
16 of issuing a continuing contract, and for the purposes of being designated a highly qualified teacher
17 under the No Child Left Behind Act.

18 (3) To be eligible for a teacher corps teacher certificate, an applicant shall meet the following
19 criteria:

20 (A) Have been admitted into an approved teacher corps program and be assigned to teach in
21 West Virginia;

22 (B) Possess at least a bachelor's degree in any discipline with a minimum of a 2.5 grade point

1 average from a regionally accredited institution of higher education;

2 (C) Pass the same basic skills and subject matter test or tests required by the state board for
3 traditional program candidates to become certified in the area for which licensure is being sought,
4 and passage of the subject matter test or tests shall be sufficient to earn endorsement in the
5 instructional field, provided that all other requirements set forth in this subsection are met;

6 (D) Have successfully completed the pre-service training institute offered by the teacher
7 corps program;

8 (E) Hold United States citizenship, be of good moral character and be physically, mentally
9 and emotionally qualified to perform the duties of a teacher;

10 (F) Attain the age of eighteen years on or before October 1 of the year in which the teacher
11 corps teacher certificate is issued; and

12 (G) Qualify for employment following a criminal history check pursuant to section ten of this
13 article.

14 (5) Notwithstanding any law or rule to the contrary, a person who satisfies the requirements
15 set forth in subdivision (4) of this subsection shall be granted a formal document authorizing him
16 or her to work in a public school in West Virginia.

17 (6) Participants certified under this section shall complete the preservice training institute and
18 ongoing two-year professional development required by the teacher corps program. Should a
19 participant cease to remain in good standing with the program, the teacher corps certificate shall be
20 revoked.

21 (7) In addition to receiving any support provided by staff of a teacher corps, candidates
22 certified under this section shall successfully participate in a comprehensive system of support

1 pursuant to section three, article three-c of this chapter during the time the candidate is certified
2 pursuant to this section.

3 (8) Professional support team.

4 (A) Training and support of teachers certified under this section are provided by a
5 professional support team including:

6 (i) The school principal, or his or her designee;

7 (ii) An experienced classroom teacher or if the employing county has adopted a plan for
8 implementation of a comprehensive system of support pursuant to section three, article three-c,
9 chapter eighteen-a of this code, a master teacher, mentor, academic coach, other individual employee
10 used to provide support, supervision or other professional development or training to other
11 employees or any other appropriate professional person; and

12 (iii) A staff member of the teacher corps program.

13 (B) The school principal, or his or her designee, serves as chairperson of the team.

14 (C) The professional support team shall submit a written evaluation of the teacher certified
15 under this section to the county superintendent at the conclusion of the teacher's second year of
16 teaching. The written evaluation shall be in a form specified by the county superintendent and
17 submitted on a date specified by the county superintendent. The evaluation shall report the progress
18 of the teacher toward meeting the requirements of the training and support program, and all final
19 decisions on the progress of the teacher and recommendations shall rest with the principal.

20 (D) Notwithstanding any law to the contrary, upon program completion and at least two years
21 of successful teaching experience, the teacher is eligible for a professional certificate, subject to the
22 requirements established in section one-e of this article.

1 **§18A-3-1e. Recommendation for professional certification of teacher corps teachers.**

2 (a) At the conclusion of the program administered pursuant to section one-d of this article,
3 the support team defined in that section shall prepare a comprehensive evaluation report on the
4 teacher's performance. This report shall be submitted directly to the state superintendent and shall
5 contain a recommendation as to whether or not a professional certificate should be issued to the
6 teacher. The report shall be made on standard forms developed by the state superintendent.

7 The comprehensive evaluation report shall include one of the following recommendations:

8 (1) Approved: Recommends issuance of a professional certificate;

9 (2) Insufficient: Recommends that a professional certificate not be issued but that the
10 candidate be allowed to seek reentry on one or more occasions in the future into an approved
11 alternative teacher education program or teacher corps program; or

12 (3) Disapproved: Recommends that a professional certificate not be issued and that the
13 candidate not be allowed to enter into another approved alternative teacher education program or a
14 teacher corps program in this state, but may not be prohibited from pursuing teacher certification
15 through other approved programs for the education of teachers in this state.

16 (b) The support team shall provide the teacher with a copy of the teacher's written evaluation
17 report and certification recommendation before submitting it to the state superintendent. If the
18 teacher disagrees with the provider's recommendation, the teacher may, within fifteen days of receipt,
19 request an appeal in accordance with the certification appeals process established by the state board.

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

22 In accordance with state board rules for the education of professional educators adopted

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

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

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

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

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

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

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

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

16 (ii) Has completed three years of successful experience within the last seven years in the area
17 for which licensure is being sought; and

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

19 (II) Is recommended for a certificate in accordance with the provisions of sections one-a, ~~and~~
20 one-b and one-e of this article relating to the program, or

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

22 (2) The certificate shall be endorsed to indicate the grade level or levels or areas of

1 specialization in which the person is certified to teach or to serve in the public schools.

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

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

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

7 (b) *Alternative program teacher certificate.* -- An alternative program teacher certificate may
8 be issued to a candidate who is enrolled in an alternative program for the education of teachers in
9 accordance with the provisions of section one-a of this article.

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

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

14 (c) *Teacher corps teaching certificate.* -- A teacher corps teaching certificate may be issued
15 to a candidate in accordance with provisions of section one-d of this article.

16 (1) The certificate is valid subject to the provisions of section one-d of this article.

17 (2) The certificate is valid for two years and may be renewed for one additional year only.

18 (3) The issuance of this certificate may not be limited to critical shortage areas, and shall
19 include but not be limited to early education, elementary education, secondary subject areas, and
20 special education.

21 ~~(d)~~ (d) *Professional administrative certificate.* --

22 (1) A professional administrative certificate, endorsed for serving in the public schools, with

1 specific endorsement as a principal, vocational administrator, supervisor of instructions or
2 superintendent, may be issued to a person who has completed requirements all to be approved by the
3 state board as follows:

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

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

8 (ii) Has successfully completed education and training in evaluation skills through the center
9 for professional development, or equivalent education and training in evaluation skills approved by
10 the state board, and

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

12 (2) Any person serving in the position of dean of students on June 4, 1992, is not required
13 to hold a professional administrative certificate.

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

17 ~~(d)~~ (e) *Paraprofessional certificate.* -- A paraprofessional certificate may be issued to a
18 person who meets the following conditions:

19 (1) Has completed thirty-six semester hours of post-secondary education or its equivalent in
20 subjects directly related to performance of the job, all approved by the state board; and

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

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

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

4 (2) A certificate or permit may not be given permanent status and a person holding one of
5 these credentials shall meet renewal requirements provided by law and by regulation, unless the State
6 Board declares certain of these certificates to be the equivalent of the professional certificate.

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

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

12 (i) The contract specifies the duties to be performed, specifies a rate of pay that is equivalent
13 to the rate of pay for professional educators in the district who accept similar duties as extra duty
14 assignments, and provides for liability insurance associated with the activity; and

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

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

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

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

21 (1) A teacher-in-residence permit may be issued to a candidate who is enrolled in a
22 teacher-in-residence program in accordance with an agreement between an institution of higher

1 education and a county board. The agreement is developed pursuant to subsection (f), section one
2 of this article and requires approval by the state board.

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

NOTE: The purpose of this bill is to create a teacher corps program. The bill provides for teacher certificates. The bill sets forth qualifications and conditions to be met. The bill provides for recommendation for professional certification of teacher corps teachers. The bill requires evaluation reports. The bill permits the state superintendent to issue a teacher corps teaching certificate. The bill defines terms.

§18A-3-1d and §18A-3-1e are new; therefore, strike-throughs and underscoring have been omitted.

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