

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2905

2015 Carryover

(BY DELEGATE MCGEEHAN)

[Introduced January 13, 2016; referred to the
Committee on Education.]

1 A BILL to amend and reenact §18A-3-2a of the Code of West Virginia, 1931, as amended, relating
 2 to athletic coaches in public schools; eliminating the requirement that schools select
 3 currently employed professional educators over other applicants for extracurricular
 4 coaching positions.

Be it enacted by the Legislature of West Virginia:

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

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

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

1 In accordance with state board rules for the education of professional educators adopted
 2 pursuant to section one of this article and subject to the limitations and conditions of that section,
 3 the state superintendent may issue the following certificates valid in the public schools of the
 4 state:

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

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

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

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

12 (ii) Has met equivalent standards at institutions in other states and has passed appropriate
 13 state board approved basic skills and subject matter tests or has completed three years of

14 successful experience within the last seven years in the area for which licensure is being sought;

15 or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

58 (d) *Paraprofessional certificate.* -- A paraprofessional certificate may be issued to a person
59 who meets the following conditions:

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

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

64 (e) *Other certificates; permits.* --

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

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

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

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

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

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

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

82 ~~and~~

83 ~~(C)~~ (B) The person completes an orientation program designed and approved in
84 accordance with state board rules.

85 (f) *Teacher-In-Residence Permit.* --

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

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

NOTE: The purpose of this bill is to eliminate the requirement that schools select currently employed professional educators over other applicants for extracurricular coaching positions.

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