

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Committee Substitute

for

House Bill 2771

BY DELEGATES UPSON, ESPINOSA, STATLER, BLAIR,

COOPER, AMBLER, HOUSEHOLDER, MOORE, BUTLER,

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[Introduced March 1, 2017; Referred

to the Committee on Veterans' Affairs and Homeland

Security then Education]

1 A BILL to amend and reenact §18A-3-2a of the Code of West Virginia, 1931, as amended, relating
2 to teaching certificates for teachers whose spouses are members of the Armed Forces
3 who are on active duty stationed in this state or within fifty air miles of the West Virginia
4 border.

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 a regionally accredited institution of higher
9 education, and

10 (i) Has passed appropriate state board approved basic skills and subject matter tests in
11 the area for which licensure is being sought; and

12 (ii) Has completed a program for the education of teachers which meets the requirements
13 approved by the state board; or

14 (iii) Has met equivalent standards at institutions in other states; or

15 (iv) Has completed three years of successful teaching experience within the last seven
16 years under a license issued by another state in the area for which licensure is being sought; or

17 (v) Has completed an alternative program approved by another state; or

18 (B) Holds at least a bachelor's degree from an accredited institution of higher education;

19 and

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

21 (ii) Has completed an alternative program for teacher education as provided in this article;

22 and

23 (iii) Is recommended for a certificate in accordance with the provisions of section one-i of
24 this article relating to the program; and

25 (iv) 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 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 teacher education
35 approved by the state board.

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 while the candidate is enrolled in the alternative program, up to
39 a maximum of three years, and may not be renewed.

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
59 person 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.

81 (B) The person completes an orientation program designed and approved in accordance
82 with state board rules.

83 (f) *Teacher-In-Residence Permit.* —

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

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

91 (g) *Temporary teaching certificates for Armed Forces spouses.* —

92 (1) A temporary teaching certificate for an Armed Forces spouse may be issued to an
93 individual who meets the following criteria:

94 (A) He or she is married to a member of the Armed Forces of the United States who is on
95 active duty;

96 (B) He or she holds a current teaching certificate or license issued by an equivalent
97 credentialing department, board, or authority, as determined by the state superintendent, in
98 another state of the United States, the District of Columbia, Puerto Rico, the United States Virgin
99 Islands, another territory or protectorate of the United States or a foreign country; and

100 (C) He or she provides proof acceptable to the state superintendent that his or her spouse
101 is assigned to a duty station in this state or at a military installation within fifty air miles of the West
102 Virginia border and that he or she is also assigned to a duty station in this state or at a military
103 installation within fifty air miles of the West Virginia border under his or her spouse's official active
104 duty military orders.

105 (2) The state superintendent shall deny a temporary teaching certificate to an individual
106 described in (1) above for fraud, material misrepresentation or concealment in the person's
107 application for a temporary teaching certificate or for a conviction for which an individual's
108 teaching certificate may be revoked under section six of this article.

109 (3) A temporary teaching certificate issued under (1) above is valid for one year and may
110 be renewed for additional one year terms if the state superintendent determines the individual
111 holding the temporary teaching certificate continues to meet the requirements of (1) above. The
112 state superintendent may revoke a temporary teaching certificate for a conviction for which an
113 individual's teaching certificate may be revoked under section six of this article.

NOTE: The purpose of this bill is to provide for teaching certificates for teachers whose spouses are married to a member of the Armed Forces who is on active duty stationed in this state.

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