

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

House Bill 4407

BY DELEGATES ESPINOSA, STATLER, KELLY, BLAIR,
HIGGINBOTHAM, ATKINSON AND MR. SPEAKER (MR.
ARMSTEAD)

[Introduced February 2, 2018; Referred
to the Committee on Education.]

1 A BILL to amend and reenact §18A-3-1f of the Code of West Virginia, 1931, as amended, relating
 2 to eligibility for alternative program teacher certificate; and removing eligibility requirement
 3 to have academic major or occupational area the same as or similar to subject matter
 4 being hired to teach.

Be it enacted by the Legislature of West Virginia:

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

**§18A-3-1f. Alternative program participation; eligibility for alternative program certificate;
 contract renewals; hiring preference.**

1 (a) *Alternative program participation.* – A person may not participate in an alternative
 2 program unless he or she holds an alternative program teacher certificate issued by the state
 3 superintendent for the alternative program position in which he or she will be teaching. An
 4 alternative program teacher certificate is the same as a professional teaching certificate for the
 5 purpose of issuing a continuing contract.

6 (b) *Eligibility for alternative program teacher certificate.* – To be eligible for an alternative
 7 program teacher certificate, a person shall:

8 (1) Possess at least a bachelor's degree from a regionally accredited institution of higher
 9 education;

10 (2) Pass the same basic skills and subject matter test or tests required by the state board
 11 for traditional program candidates to become certified in the area for which he or she is seeking
 12 licensure;

13 (3) Hold United States citizenship;

14 (4) Be of good moral character;

15 (5) Be physically, mentally, and emotionally qualified to perform the duties of a teacher;

16 (6) Attain the age of 18 years on or before October 1 of the year in which the alternative

17 program teacher certificate is issued;

18 (7) Receive from a county superintendent a formal offer of employment in an area of critical
19 need and shortage and by a school or school district that is a member of an approved educational
20 provider; and

21 ~~(8) Have relevant academic or occupational qualifications that reasonably indicate that the~~
22 ~~person will be competent to fill the teaching position in which he or she would be employed. For~~
23 ~~the purposes of this section, “reasonably indicate” means an academic major or occupational~~
24 ~~area the same as or similar to the subject matter to which the alternative program teacher is being~~
25 ~~hired to teach; and~~

26 ~~(9)~~ (8) Qualify for employment after a criminal history check made pursuant to §18A-3-10
27 of this code.

28 (c) *Eligibility for alternative program certificate: American Sign Language.* – If a person
29 seeks certification to teach American Sign Language, in lieu of subdivisions (1) and (2),
30 subsection (b) of this section, he or she shall pass one or more appropriate state board approved
31 tests demonstrating his or her proficiency in American Sign Language.

32 (d) *Eligibility for alternative program certificate: selected vocational and technical areas.* –
33 If a person seeks certification to teach in selected vocational and technical areas, in lieu of
34 subdivisions (1) and (2), subsection (b) of this section, he or she shall pass one or more
35 appropriate state board approved tests demonstrating his or her proficiency in the basic skills and
36 occupational content areas.

37 (e) *Contract renewals.* –

38 (1) A county board shall renew an alternative program teacher's contract from year to year
39 as long as he or she makes satisfactory progress in the applicable alternative education program
40 and until he or she completes the alternative program, except as provided in subdivision (2) of
41 this subsection.

42 (2) If the school or school district that employs the alternative program teacher reduces its

43 overall number of teachers, the alternative program teacher is subject to the same force reduction
44 rules and procedures as any other employee, except those that relate to seniority. In no event will
45 an alternative program teacher displace a professional educator as defined in §18A-1-1 of this
46 code.

NOTE: The purpose of this bill is to remove one of the requirements for eligibility for an alternative program teacher certificate. The requirement that would be removed is that the person have an academic major or occupational area the same as or similar to subject matter he or she is being hired to teach.

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