

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Committee Substitute

for

Senate Bill 911

BY SENATORS GRADY, ROBERTS, AND OLIVERIO

[Reported March 28, 2025, from the Committee on
Education]

1 A BILL to amend and reenact §18A-3-2a of the Code of West Virginia, 1931, as amended; and to
2 amend the code by adding a new section, designated §18A-3-2b, relating to allowing an
3 adjunct teaching permit to be issued to an individual meeting certain specified
4 requirements; permitting an individual with an adjunct teaching permit to be hired to fill a
5 vacant teaching position, offer a new program or class, or to supplement a program
6 currently being offered only if no other teacher holding certification in the subject area is
7 available and accepts the position or assignment; allowing adjunct teacher to be employed
8 full- or part-time; allowing the compensation to be any amount both the county board and
9 the adjunct teacher agree to; providing that county board is not required to provide any
10 type of employment benefit unless both the county board and the adjunct teacher agree
11 to those benefits; requiring county board and the adjunct teacher enter into a contract;
12 specifying what is to be included in the contract; allowing adjunct teacher to teach in any
13 content area in which the individual is allowed to teach based on the individual's
14 experience; requiring assignment of a teacher mentor; requiring adjunct teacher to
15 complete certain training and education; prohibiting adjunct teacher from providing special
16 education instruction; requiring each county board that employs an adjunct teacher to
17 report certain information to the West Virginia Department of Education; requiring posting
18 of adjunct teacher position; allowing notification of parents of a vacant adjunct teacher
19 position; and requiring county board to announce any vacant adjunct teacher positions at
20 its meetings.

Be it enacted by the Legislature of West Virginia:

**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 §18A-3-1 of this code and subject to the limitations and conditions of that section, the
3 state superintendent may issue the following certificates valid in the public schools of the state:

4 (a) *Professional teaching certificates.* —

5 (1) A professional teaching certificate for teaching in the public schools may be issued to
6 a person who meets the following conditions: (A) Holds at least a bachelor's degree from a
7 regionally accredited institution of higher education, and:

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

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

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

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

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

16 (B) Holds at least a bachelor's degree from an accredited institution of higher education,
17 and:

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

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

20 and

21 (iii) Is recommended for a certificate in accordance with the provisions of §18A-3-1i of this
22 code relating to the program; and

23 (iv) Is recommended by the state superintendent based on documentation submitted; or

24 (C) Holds a bachelor's degree from an accredited institution of higher education, and:

(i) Submits to a criminal history check pursuant to §18A-3-10 of this code: *Provided*, That information discovered during the criminal history check may form the basis for the denial of a certificate for just cause; and

(ii) Successfully completes pedagogical training or a pedagogical course or courses in substantive alignment with nationally recognized pedagogical standards, or approved or established by the state board; and

(iii) Passes the same subject matter and competency test or tests required by the state board for traditional program applicants for licensure.

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

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

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

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

(4) Teaching certificates granted pursuant to §18A-3-2a(a)(1)(C) of this code shall be equivalent to certificates granted to graduates of teacher preparation programs at public higher education institutions.

(b) *Alternative program teacher certificate.* — An alternative program teacher certificate may be issued to a candidate who is enrolled in an alternative program for teacher education approved by the state board.

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

(2) The certificate is valid while the candidate is enrolled in the alternative program, up to a maximum of three years, and may not be renewed.

(c) *Professional administrative certificate.* —

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

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

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

(ii) Has successfully completed education and training in evaluation skills through the Center for Professional Development, or equivalent education and training in evaluation skills approved by the state board; and

(iii) Possesses three years of management level experience.

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

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

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

(1) Has completed 36 semester hours of post-secondary education or its equivalent in subjects directly related to performance of the job, all approved by the state board; and

(2) Demonstrates the proficiencies to perform duties as required of a paraprofessional as defined in §18A-4-8 of this code.

(e) *Other certificates; permits.* —

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

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

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

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

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

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

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

(f) *Clinical teacher of record permit.* —

(1) A clinical teacher of record permit may be issued to a candidate who is enrolled in a clinical teacher of record program in accordance with an agreement between an institution of higher education and a county board. The agreement is developed pursuant to §18A-3-1(e) of this code and requires approval by the state board.

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

(g) *Temporary teaching certificates for armed forces spouses.* —

(1) A temporary teaching certificate for an armed forces spouse may be issued to an individual who meets the following criteria:

(A) He or she is married to a member of the armed forces of the United States who is on active duty;

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

(C) He or she provides proof acceptable to the state superintendent that his or her spouse is assigned to a duty station in this state or at a military installation within 50 air miles of the West Virginia border and that he or she is also assigned to a duty station in this state or at a military installation within 50 air miles of the West Virginia border under his or her spouse's official active duty military orders.

(2) The state superintendent shall deny a temporary teaching certificate to an individual described in subdivision (1) of this subsection for fraud, material misrepresentation or concealment in the person's application for a temporary teaching certificate or for a conviction for which an individual's teaching certificate may be revoked under §18A-3-6 of this code.

(3) A temporary teaching certificate issued under subdivision (1) of this subsection is valid for one year and may be renewed for additional one-year terms if the state superintendent determines the individual holding the temporary teaching certificate continues to meet the requirements of subdivision (1) of this subsection. The state superintendent may revoke a temporary teaching certificate for a conviction for which an individual's teaching certificate may be revoked under §18A-3-6 of this code.

(h) Adjunct teaching permit. — An adjunct teacher permit may be issued to an individual who meets the requirements set forth in §18A-3-2b of this code.

§18A-3-2b. Adjunct teaching permit.

1 (a) An individual with an adjunct teaching permit may be hired to fill a vacant teaching
2 position, offer a new program or class, or to supplement a program currently being offered only if
3 no other teacher holding certification in the subject area is available and accepts the position or
4 assignment.

5 (b) An adjunct teacher permit may be issued to an individual who meets the following
6 requirements:

7 (1) The individual has at least four years of experience in the content area in which the
8 individual intends to teach through employment experience or has a college degree in that content
9 area: *Provided*, That a related content area that includes the concepts of the content area in which
10 the individual intends to teach satisfies this requirement;

11 (2) The individual submits to the criminal history check of applicants for licensure provided
12 in §18A-3-10 of this code;

13 (3) The individual has not been convicted of a felony or plead guilty or plead no contest to
14 a felony charge or convicted, plead guilty, or plead no contest to any charge involving sexual
15 misconduct with a minor or a student.

16 (c) If a county board employs any individual with an adjunct teaching permit issued
17 pursuant to this section:

18 (1) The employment may be on a part-time or full-time basis;

19 (2) The compensation may be any amount both the county board and the adjunct teacher
20 agree to and is not required to be based on §18A-4-2 or any other provision of this code;

21 (3) The county board is not required to provide the adjunct teacher retirement benefits,
22 health insurance, nor any other type of employment benefit unless both the county board and the
23 adjunct teacher agree to those benefits;

24 (4)The county board shall enter into a contract with the adjunct teacher that specifies the
25 length of time for the contract; which days the adjunct teacher is to teach; the amount of time the

teacher is to teach on those days; the rate of compensation; whether any retirement, health insurance, or any other type of benefit will be provided and if so exactly what those benefits will be; and any other provisions the county board and adjunct teacher agree to;

(5) The individual who holds the adjunct teaching permit may teach in any content area, including a career and technical education content area, in which the individual is allowed to teach based on the individual's experience described in subsection (b) of this section;

(6) The individual must be assigned a teacher mentor for support in pedagogy; and

(7) The individual shall complete the harassment, intimidation, and bullying training, and preventing child sexual abuse training required by state board policy 4373, and education on the warning signs and resource to assist in suicide prevention pursuant to §18-2-40 of this code within the first 90 days of employment.

(c) An adjunct teacher may not provide special education instruction.

(d) Each county board that employs an adjunct teacher with an adjunct teacher permit issued pursuant to this section shall report to the West Virginia Department of Education the following information:

(1) The number of adjunct teachers who hold a permit issued under this section that the county board has hired each school year, disaggregated by the grade level and subject area taught by the adjunct teacher; and

(2) The following information for each adjunct teacher described in subdivision (1) of this subsection:

(A) The name of the adjunct teacher;

(B) The subject matter the adjunct teacher is permitted to teach;

(C) A description of the adjunct teacher's experience that qualifies him or her under §18A-3-2b(b)(1) of this code;

(D) The compensation paid to the adjunct teacher during the school year;

51 (E) The number of previous adjunct teaching employment agreements the adjunct teacher
52 has entered into with the county board.

53 (e) A county board shall post a vacant adjunct teacher position pursuant to §18A-4-7a(q)
54 of this code.

55 (f) A county board may notify parents of students enrolled in the school of a vacant adjunct
56 teacher position.

57 (g) The county board shall announce any vacant adjunct teacher positions at its meetings.