

# Board of Education Agenda Item

Item:                                 E.                                

Date: September 21, 2005

**Topic:** Final Review of Proposed Legislation Related to the Recommendation of the Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments

**Presenter:** Ms. Anne D. Wescott, Assistant Superintendent for Policy and Communications

**Telephone Number:** (804) 225-2403      **E-Mail Address:** [Anne.Wescott@doe.virginia.gov](mailto:Anne.Wescott@doe.virginia.gov)

**Origin:**

- Topic presented for information only (no board action required)
- Board review required by
  - State or federal law or regulation
  - Board of Education regulation
  - Other: Article VII of the Board by-laws
- Action requested at this meeting
- Action requested at future meeting: \_\_\_\_\_

**Previous Review/Action:**

- No previous board review/action
- Previous review/action
  - date July 27, 2005
  - action Accepted for first review

**Background Information:** The Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments recommended that the Board of Education prescribe the following professional teacher’s examinations for initial licensure in Virginia:

1. Literacy and Communications Skills Assessment;
2. Praxis II (content assessment); and
3. Virginia Reading Assessment (if applicable).

At the June 22, 2005 meeting, the steps necessary to implement the Special Committee’s recommendation were set forth. Amendments to the Code of Virginia are necessary in order to clarify that an individual must take an assessment of basic skills (Praxis I, SAT, or ACT) in order to be admitted into an education preparation program, and that professional teacher’s assessments (Literacy

and Communications Skills Assessment; Praxis II (content assessment); and, if applicable, the Virginia Reading Assessment) are required for licensure.

**Summary of Major Elements:** The proposed legislation includes the following changes:

- The current provisions, as found in § 22.1-298 and § 23-9.2:3.4, would be reorganized and edited for clarity.
- A new section, § 22.1-298.1, would be added to address regulations governing education preparation programs. The current § 22.1-298 would address regulations governing licensure.
- A definition section would be added to § 22.1-298 and § 22.1-298.1.
- The definitions would differentiate between assessments of basic skills (Praxis I, SAT, or ACT) that must be taken prior to admission into an approved education preparation program, and professional teacher's assessments (Literacy and Communications Skills Assessment; Praxis II (content assessment); and, if applicable, the Virginia Reading Assessment) required for licensure.
- Language would clarify that licensure by reciprocity does not require the individual to take and pass a basic skills assessment, but professional teacher's assessments would be required.
- There is a provision to allow the Board to prescribe other provisions for reciprocity in its regulations.
- Language would specify that approved education preparation programs must meet the requirements for both accreditation and program approval.
- The current provision that would prohibit an approved education preparation program from denying a candidate for admission into the program solely on the basis of failing the basic skills assessment would be amended. The revised language would permit approved education preparation programs to deny admission to a candidate who fails the basic skills assessment. However, if the candidate is enrolled in the program, the candidate must be given the opportunity to address any deficiencies.

Two additional changes are recommended:

- At line 176, the sentence would be deleted and a new sentence inserted at line 179. The original sentence would be reorganized and the phrase "and a procedure" would be deleted. Administrative procedures are not matters of policy, and are generally not included in regulations. When administrative procedures are specified in regulations, changes cannot be readily made to adapt to new processes and technologies.
- On line 233, the phrase "if enrolled in such program" would be deleted because it is duplicative.

**Superintendent's Recommendation:** The Superintendent of Public Instruction recommends that the Board of Education approve the legislative proposal.

**Impact on Resources:** The impact on resources is not expected to be significant.

**Timetable for Further Review/Action:** The President of the Board of Education will request the General Assembly to consider the proposed legislation during the 2006 Session.

1 ~~22.1-298. Regulations governing licensure.~~

2 ~~A. The Board of Education shall, by regulation, prescribe the requirements for licensure~~  
3 ~~of teachers. Regardless of the authority of any other agency of the Commonwealth to~~  
4 ~~approve educational programs, only the Board of Education shall have the authority~~  
5 ~~to license teachers to be regularly employed by school boards, including those~~  
6 ~~teachers employed to provide nursing education.~~

7 ~~B. Such regulations shall include requirements that:~~

8 ~~1. Every teacher seeking initial licensure take a professional teacher's examination~~  
9 ~~prescribed by the Board;~~

10 ~~2. Persons seeking licensure on and after July 1, 2000, complete study in attention~~  
11 ~~deficit disorder and gifted education, including the use of multiple criteria to~~  
12 ~~identify gifted students;~~

13 ~~3. Persons seeking initial licensure on and after July 1, 2002, complete study in,~~  
14 ~~among other things, (i) methods of improving communication between schools~~  
15 ~~and families; (ii) ways of increasing family involvement in student learning at~~  
16 ~~home and in school; and (iii) the Standards of Learning;~~

17 ~~4. Persons seeking licensure with endorsements as teachers of the blind and visually~~  
18 ~~impaired on and after July 1, 2000, demonstrate proficiency in reading and~~  
19 ~~writing Braille;~~

20 ~~5. Persons seeking initial licensure on and after July 1, 2003, complete study in~~  
21 ~~instructional methods tailored to promote student academic progress and effective~~  
22 ~~preparation for the Standards of Learning end-of-course and end-of-grade~~  
23 ~~assessments;~~

24 ~~6. Persons seeking licensure renewal on and after July 1, 2004, receive training in~~  
25 ~~instructional methods tailored to promote student academic progress and effective~~  
26 ~~preparation for the Standards of Learning end-of-course and end-of-grade~~  
27 ~~assessments;~~

28 ~~7. On and after July 1, 2003, persons seeking initial licensure or license renewal as~~  
29 ~~teachers demonstrate proficiency in the use of educational technology for~~  
30 ~~instruction; and~~

31 ~~8. On and after July 1, 2004, persons seeking initial licensure as teachers and~~  
32 ~~persons seeking licensure renewal as teachers for the first time after such date~~  
33 ~~complete study in child abuse recognition and intervention in accordance with~~  
34 ~~curriculum guidelines developed by the Board of Education in consultation with~~

35 the Department of Social Services that are relevant to the specific teacher  
36 licensure routes.

37 ~~C. Notwithstanding any provision of law to the contrary, the Board may provide for the~~  
38 ~~issuance of a provisional license, valid for a period not to exceed three years, to any~~  
39 ~~person who does not meet the requirements of this section or any other requirement~~  
40 ~~for licensure imposed by law.~~

41 ~~D. The Board's licensure regulations shall also establish criteria and a procedure to allow~~  
42 ~~persons seeking initial licensure as teachers through an alternative route as defined in~~  
43 ~~Board regulations to substitute experiential learning in lieu of coursework.~~

44 ~~E. The Board's licensure regulations shall also require that licensure for superintendents~~  
45 ~~and principals, on and after July 1, 2000, be contingent upon acquiring the skills~~  
46 ~~established in the Board's leadership standards.~~

47 ~~In addition, the Board's licensure regulations shall also require that, on and after July~~  
48 ~~1, 2005, initial licensure for principals and other school leaders, as may be determined~~  
49 ~~by the Board, be contingent upon passage of the School Leader's Licensure~~  
50 ~~Assessment.~~

51 ~~F. Persons seeking initial licensure who graduate from Virginia institutions of higher~~  
52 ~~education shall, on and after July 1, 2002, only be licensed as instructional personnel~~  
53 ~~by the Board of Education if the endorsement areas offered at such institutions have~~  
54 ~~been assessed by a national accrediting agency or by a state approval process, with~~  
55 ~~final accreditation by the Board of Education.~~

56 ~~G. The Board shall prescribe a professional teacher's examination for administration by~~  
57 ~~Virginia's public institutions of higher education as provided in § [23-9.2:3.4](#) to~~  
58 ~~persons seeking entry into teacher education programs in such public institutions and~~  
59 ~~shall establish a minimum passing score for such examination. The examination shall~~  
60 ~~be sufficiently rigorous and the minimum score set as necessary to ensure that~~  
61 ~~candidates have adequate academic and professional preparation to teach.~~

62 ~~Candidates who fail to achieve the minimum score established by the Board shall not~~  
63 ~~be denied entrance into the relevant teacher education programs solely on the basis of~~  
64 ~~such failure and shall have the opportunity to address any deficiencies if enrolled in~~  
65 ~~such program.~~

66 ~~The Board of Education, in consultation with the State Council of Higher Education,~~  
67 ~~shall develop guidelines for performance reports to be submitted by the public~~  
68 ~~institutions of higher education pursuant to § [23-9.2:3.4](#). Such reports shall include~~  
69 ~~annual data on the pass rates, by institution, of graduates of Virginia's institutions of~~  
70 ~~higher education taking the state licensure examination and shall not include any~~  
71 ~~information identifying individual graduates.~~

72 H. ~~The Board's licensure regulations shall also provide for licensure by reciprocity:~~

73 1. ~~With comparable endorsement areas for those individuals holding a valid out-of-~~  
74 ~~state teaching license and national certification from the National Board for~~  
75 ~~Professional Teaching Standards or a nationally recognized certification program~~  
76 ~~approved by the Board of Education. The application for such individuals shall~~  
77 ~~require evidence of such valid licensure and national certification and shall not~~  
78 ~~require official student transcripts; and~~

79 2. ~~For individuals who have obtained a valid out-of-state license that is in force at~~  
80 ~~the time the application for a Virginia license is made. The individual must~~  
81 ~~establish a file in the Department of Education by submitting a complete~~  
82 ~~application packet, which shall include official student transcripts. A professional~~  
83 ~~teacher's assessment for the purpose set forth in subsection G of this section and~~  
84 ~~service requirements shall not be imposed for these licensed individuals.~~

85 I. ~~Notwithstanding the provisions of this section and the Board's authority to license~~  
86 ~~teachers, local school boards shall be authorized to issue valid three-year local~~  
87 ~~eligibility licenses pursuant to § [22.1-299.3](#).~~

88 J. ~~Upon the expiration of a three-year local eligibility license, the holder of such license~~  
89 ~~shall be eligible, as appropriate for the degree issued to such person, for a collegiate~~  
90 ~~professional license or a postgraduate professional license to be issued by the~~  
91 ~~Department of Education upon satisfaction of the following conditions: (i)~~  
92 ~~recommendation by the division superintendent and the school board for such~~  
93 ~~licensure; (ii) the completion of three successful years of teaching experience while~~  
94 ~~holding a valid three-year local eligibility license as certified by the division~~  
95 ~~superintendent and school board; (iii) achieving a satisfactory score on the~~  
96 ~~professional teacher's examinations required by the Board; and (iv) such standards as~~  
97 ~~may be prescribed by the Board of Education.~~

98 K. ~~As used in this section and the Board of Education's regulations for the licensure of~~  
99 ~~school personnel:~~

100 "Accredited institution" means an institution of higher education accredited by a  
101 national or regional accrediting agency recognized by the United States Department  
102 of Education, or by a state approval process.

103 § ~~23-9.2:3.4~~. ~~Teacher education programs; reporting requirements.~~

104 A. ~~The boards of visitors of those public institutions of higher education providing~~  
105 ~~teacher education programs shall administer the entrance examination prescribed by~~  
106 ~~the Board of Education pursuant to § [22.1-298](#) to all persons seeking entry into such~~  
107 ~~teacher education programs.~~

108 ~~Notwithstanding any other provision of this title to the contrary, such boards of~~  
109 ~~visitors shall not deny candidates who fail to achieve the minimum score established~~  
110 ~~by the Board entrance into the relevant teacher education programs solely on the basis~~  
111 ~~of such failure, and shall require achievement of such minimum passing score as a~~  
112 ~~condition of completing any approved teacher education program. Students failing to~~  
113 ~~achieve the minimum passing score shall have the opportunity to address any~~  
114 ~~deficiencies while enrolled in such teacher education program.~~

115 ~~B. All Virginia public institutions of higher education that offer teacher education~~  
116 ~~programs, master's degree programs in education or master's degree programs in~~  
117 ~~administration shall submit annual performance reports as set forth in Board of~~  
118 ~~Education guidelines and as required by subsection G of § 22.1-298. Such reports~~  
119 ~~shall include annual data on the pass rates of graduates of such Virginia institutions of~~  
120 ~~higher education taking the state licensure examination and shall not include any~~  
121 ~~information identifying individual graduates.~~

122

123 22.1-298. Regulations governing licensure.

124 A. As used in this section:

125 “Alternate route to licensure” means a non-traditional route to teacher licensure  
126 available to individuals who meet the criteria specified in the regulations issued by  
127 the Board of Education.

128 “Licensure by reciprocity” means a process used to issue a license to an individual  
129 coming into Virginia from another state when that individual meets certain conditions  
130 specified in the Board of Education regulations.

131 “Professional teacher’s assessment” means those tests mandated for licensure as  
132 prescribed by the Board of Education.

133 “Provisional license” means a nonrenewable license issued by the Board of Education  
134 for a specified period of time, not to exceed three years, to an individual who may be  
135 employed by a school division in Virginia and who generally meets the requirements  
136 specified in the Board of Education regulations for licensure, but who may need to  
137 take additional coursework or pass additional assessments to be fully licensed with a  
138 renewable license.

139 “Renewable license” means a license issued by the Board of Education for five years  
140 to an individual who meets the requirements specified in the Board of Education  
141 regulations.

142 B. The Board of Education shall prescribe, by regulation, the requirements for the  
143 licensure of teachers and other school personnel required to hold a license. Regardless

144 of the authority of any other agency of the Commonwealth to approve educational  
145 programs, only the Board of Education shall have the authority to license teachers to  
146 be regularly employed by school boards, including those teachers employed to  
147 provide nursing education.

148 Notwithstanding the provisions of this section and the Board's authority to license  
149 teachers, local school boards shall be authorized to issue valid three-year local  
150 eligibility licenses pursuant to [§ 22.1-299.3](#).

151 C. The Board of Educations regulations shall include requirements that a person seeking  
152 initial licensure:

153 1. Complete professional assessments as prescribed by the Board of Education;

154 2. Complete study in attention deficit disorder;

155 3. Complete study in gifted education, including the use of multiple criteria to  
156 identify gifted students; and

157 4. Complete study in methods of improving communication between schools and  
158 families and ways of increasing family involvement in student learning at home  
159 and at school.

160 D. In addition, such regulations shall include requirements that:

161 1. Every person seeking initial licensure or renewal of a license demonstrate  
162 proficiency in the use of educational technology for instruction;

163 2. Every person seeking initial licensure or persons seeking licensure renewal as  
164 teachers for the first time shall complete study in child abuse recognition and  
165 intervention in accordance with curriculum guidelines developed by the Board of  
166 Education in consultation with the Department of Social Services that are relevant  
167 to the specific teacher licensure routes;

168 3. Every person seeking initial licensure or renewal of a license shall receive  
169 professional development in instructional methods tailored to promote student  
170 academic progress and effective preparation for the Standards of Learning end-of-  
171 course and end-of-grade assessments; and

172 4. Every person seeking licensure with an endorsement as a teacher of the blind and  
173 visually impaired shall demonstrate proficiency in reading and writing Braille.

174 E. The Board's regulations shall require that initial licensure for principals and assistant  
175 principals be contingent upon passage of an assessment as prescribed by the Board.

176 F. [In addition, the Board's regulations shall establish criteria and a procedure to allow  
177 persons seeking initial licensure through an alternative route, as defined in Board  
178 regulations, to substitute experiential learning in lieu of coursework.

179 F. The Board shall establish criteria in its regulations to effectuate the substitution of  
180 experiential learning for coursework for those persons seeking initial licensure  
181 through an alternate route as defined in Board regulations.]

182 G. Notwithstanding any provision of law to the contrary, the Board may provide for the  
183 issuance of a provisional license, valid for a period not to exceed three years, to any  
184 person who does not meet the requirements of this section or any other requirement  
185 for licensure imposed by law.

186 H. The Board's licensure regulations shall also provide for licensure by reciprocity:

187 1. With comparable endorsement areas for those individuals holding a valid out-of-  
188 state teaching license and national certification from the National Board for  
189 Professional Teaching Standards or a nationally recognized certification program  
190 approved by the Board of Education. The application for such individuals shall  
191 require evidence of such valid licensure and national certification and shall not  
192 require official student transcripts;

193 2. For individuals who have obtained a valid out-of-state license, with full  
194 credentials and without deficiencies, that is in force at the time the application for  
195 a Virginia license is received by the Department of Education. The individual  
196 must establish a file in the Department of Education by submitting a complete  
197 application packet, which shall include official student transcripts. An assessment  
198 of basic skills as provided in § 22.1-298.1 and service requirements shall not be  
199 imposed for these licensed individuals; however, other licensing assessments, as  
200 prescribed by the Board of Education, shall be required; and

201 3. The Board may include other provisions for reciprocity in its regulations.

202

203 §22.1-298.1. Regulations governing education preparation programs.

204 A. As used in this section:

205 “Assessment of basic skills” means an assessment prescribed by the Board of  
206 Education that an individual must take prior to admission into an approved education  
207 preparation program, as prescribed by the Board of Education in its regulations.

208 B. Education preparation programs shall meet the requirements for accreditation and  
209 program approval, as prescribed by the Board of Education in its regulations.

210 C. The Board of Education regulations shall provide for education preparation programs  
211 offered by institutions of higher education, Virginia public school divisions, and  
212 certified providers for alternate routes to licensure.

213 D. The Board shall prescribe an assessment of basic skills for individuals seeking entry  
214 into an approved education preparation program and shall establish a minimum  
215 passing score for such assessment. The Board also may prescribe other requirements  
216 for admission to Virginia's approved education preparation programs in its  
217 regulations.

218 E. The Board shall establish accountability measures for approved education programs.  
219 Data shall be submitted to the Board on not less than a biennial basis.

220

221 §23-9.2:3.4. Education preparation programs offered by institutions of higher education.

222 A. Education preparation programs shall be required to meet the requirements for  
223 accreditation and program approval as prescribed by the Board of Education in its  
224 regulations.

225 B. As provided in § 22.1-298.1, the Board of Education shall prescribe an assessment of  
226 basic skills for individuals seeking entry into an approved education program and  
227 shall establish a minimum passing score for such assessment. The Board also may  
228 prescribe other requirements for admission to Virginia's approved education  
229 programs in its regulations.

230 C. Candidates who fail to achieve the minimum score established by the Board of  
231 Education may be denied entrance into the relevant education program on the basis of  
232 such failure; however, if enrolled in the program, they shall have the opportunity to  
233 address any deficiencies [if enrolled in such program].