

PUBLIC HEARING:
Proposed Regulations Governing the
Licensure of School Personnel
and
Proposed Regulations Governing the Regulations Governing the
Review and Approval of Education Programs in Virginia

Proposed Licensure Regulations

The proposed regulations were adopted in draft form at the June 2006 meeting of the Board of Education. The proposed regulations underwent a lengthy executive review process and were published in the *Virginia Register* on October 16, 2006. The publication date initiated the official 60-day comment period.

As a part of the requirements of the Administrative Process Act, the Board of Education will hold the public hearing on the proposed regulations on November 29, 2006. Additional hearings will be held on December 5 in Fairfax and Blacksburg and on December 7 in Hampton. Following the public comment period, all comments will be summarized and submitted to the Board of Education for review prior to the final adoption of the regulations.

Background on the Proposed Licensure Regulations:

The proposed regulations contain substantive changes in the requirements for licensure of school personnel. In a concurrent action, the Board of Education proposes to repeal the text of the current regulations (8 VAC 20-21) and promulgate new regulations (8 VAC 20-22).

Substantive new requirements are proposed for the following areas:

- 1) conditions for licensure (including, but not limited to, a revision of the exemption experience criteria for testing requirements and requiring all teachers on provisionally issued licenses to meet testing requirements for licensure within one year of the contractual date of employment);
- 2) types of licenses;
- 3) designations of career paths to teaching;
- 4) added endorsements by examination;
- 5) conditions for licensure by reciprocity;
- 6) names of a few endorsements and requirements for some teaching areas;
- 7) endorsement areas by adding the mathematics specialist, school manager, and speech language assistants; and
- 8) the administration and supervision endorsement.

Proposed Program Approval Regulations

The proposed regulations were adopted in draft form at the June 2006 meeting of the Board of Education. The proposed regulations underwent a lengthy executive review process and were published in the *Virginia Register* on October 16, 2006. The publication date initiated the official 60-day comment period.

As a part of the requirements of the Administrative Process Act, the Board of Education will hold the public hearing on the proposed regulations on November 29, 2006. Additional hearings will be held on December 5 in Fairfax and Blacksburg and on December 7 in Hampton. Following the public comment period, all comments will be summarized and submitted to the Board of Education for review prior to the final adoption of the regulations.

Background on the Proposed Approved Program Regulations:

The program approval process in Virginia is designed to ensure an alignment between approved education programs and the needs of prek-12 schools. Due to significant proposed revisions to the *Regulations Governing Approved Programs for Virginia Institutions of Higher Education*, (8 VAC 20-541-10 et. seq.), Effective July 1, 2001, the Board of Education proposes to promulgate new *Regulations Governing the Review and Approval of Education Programs in Virginia* (8 VAC 20-542-10 et. seq.).

Substantive elements of the proposed new regulations focus on revision of selected definitions to conform with changes in the proposed new regulations; modifications in administration of the proposed new regulations, including separation of the accreditation process from the program approval process; the development of regulations focused on biennial measures of accountability; and inclusion and modification of competencies for preparation programs for school personnel contained in the 1998 Regulations Governing the Licensure of School Personnel.

Additional information on the proposed revisions to the regulation is attached.



Proposed Regulation Agency Background Document

Agency name	Virginia Board of Education
Virginia Administrative Code (VAC) citation	8 VAC 20 –22-10 et. seq.
Regulation title	Regulations Governing the Licensure of School Personnel
Action title	Repeal old regulations and replace with new regulations: 2005
Document preparation date	August 4, 2005; Revised: July 12, 2006

Brief summary

The present action proposes substantive changes in the requirements for licensure of school personnel. In a concurrent action, the Board of Education proposes to repeal the text of the current regulations (8 VAC 20-21) and promulgate new regulations (8 VAC 20-22). Substantive new requirements are proposed for the following areas: 1) conditions for licensure (including, but not limited to, a revision of the exemption experience criteria for testing requirements and requiring all teachers on provisionally issued licenses to meet testing requirements for licensure within one year of the contractual date of employment); 2) types of licenses; 3) designations of career paths to teaching; 4) added endorsements by examination; 5) conditions for licensure by reciprocity; 6) names of a few endorsements and requirements for some teaching areas; 7) endorsement areas by adding the mathematics specialist, school manager, and speech language assistants; and 8) the administration and supervision endorsement.

Basis

- **Article VIII, Section 4 of the Constitution of Virginia (1971):** Provides the Board of Education with the authority and responsibility for the “general supervision of the public school system.”
- **Code of Virginia, Section 22.1-298. Regulations Governing Licensure:** The Board of Education shall, by regulation, prescribe the requirements for the licensure of teachers.
- **Code of Virginia, Section 22.1-299. Licensure Required of Teachers:** No teacher shall be regularly employed by a school board or paid from public funds unless such teacher holds a license issued by the Board of Education.

- **Code of Virginia, Section 22.1-305.2. Advisory Board on Teacher Education and Licensure:** The Advisory Board on Teacher Education and Licensure shall advise the Board of Education and submit recommendations on policies applicable to [Teacher Education and Licensure].

Purpose

Section 21-298 of the *Code of Virginia* requires that the Board of Education prescribe the requirements for licensure of teachers by regulation. The last comprehensive review of the *Regulations Governing the Licensure of School Personnel* was conducted in the mid-1990s with regulations becoming effective July 1, 1998. The regulations need to be revised based on federal and state legislation as well as to address recommendations to clarify and change requirements for licensure. This regulatory action is not expected to have a negative impact of the health, safety, or welfare of citizens. The benefit to public welfare is a highly qualified teaching work force for the public schools.

Substance

Current regulations (8 VAC 20-21) are being repealed and replaced with new regulations (8 VAC 20-22). Substantive new requirements are proposed for the following areas: 1) conditions for licensure (including, but not limited to, a revision of the exemption experience criteria for testing requirements and requiring all teachers on provisionally issued licenses to meet testing requirements for licensure within one year of the contractual date of employment); 2) types of licenses; 3) designations of career paths to teaching; 4) added endorsements by examination; 5) conditions for licensure by reciprocity; 6) names of a few endorsements and requirements for some teaching areas; 7) endorsement areas by adding the mathematics specialist, school manager, and speech language assistants; and 8) the administration and supervision endorsement.

Issues

Please identify the issues associated with the proposed regulatory action, including:

- 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;
- 2) the primary advantages and disadvantages to the agency or the Commonwealth; and
- 3) other pertinent matters of interest to the regulated community, government officials, and the public.

The *Code of Virginia* requires that the Board of Education prescribe the requirements for licensure of teachers by regulation. Amendments to the Licensure Regulations for School Personnel are needed to respond to enactments of federal and state laws. The primary advantage is that the regulations will be aligned with federal and state laws and regulations pertaining to teacher qualifications and licensure, as well as incorporate recommendations to improve the preparation of instructional personnel in Virginia. There are no disadvantages to the public or to the agencies regulated. The primary advantage is that the regulations will ensure that the teaching work force in Virginia is highly qualified.

Economic impact

Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source / fund detail, and (b) a delineation of one-time versus on-going expenditures	The changes in the licensure regulations will have administrative costs borne by the Department of Education and school divisions.
Projected cost of the regulation on localities	Cost to localities should be minimal.
Description of the individuals, businesses or other entities likely to be affected by the regulation	Those affected by the regulation will include the Virginia Department of Education, school divisions, nonpublic schools that require licensing, and instructional personnel,
Agency's best estimate of the number of such entities that will be affected	132 school divisions, Virginia Department of Education, and approximately 110,000 instructional personnel.
Projected cost of the regulation for affected individuals, businesses, or other entities	Indirect costs are difficult to estimate.

Alternatives

There has been input from a variety of audiences in the education community to develop the proposed regulations. The requirements were reviewed and developed. However, no specific alternatives other than revising the regulations have been considered to meet the purpose of this action.

Public comment

Commenter	Comment	Agency response
Virginia Professors of Educational Leadership	<p>The organization is concerned about the proposed requirements for the alternate licensure route for the administration and supervision endorsement.</p> <p>In addition, the organization requests additional requirements to the School Manager proposal, such as holding a master's degree instead of the proposed bachelor's degree.</p>	During the Board of Education's first review of the regulations, a change was approved to add the three years of successful, full-time experience as a classroom teacher in a public school or accredited nonpublic school to the first option for individuals completing an approved program. No other changes were made.
Virginia Association of Secondary School Administrators	The association does not support the alternate route to licensure for the administration and supervision endorsement as proposed. Specifically, they oppose not require teaching experience.	

	The association stated that school divisions are currently not prohibited from employing managers in schools to assist principals. The association recommends full funding of the Board's SOQ revision item to add more assistant principals rather than adding the school manager.	
--	---	--

Family impact

The proposed changes to the licensure regulations have no potential impact on the institution of the family and family stability.

Detail of changes

NOTE: The current regulations are proposed for repeal (8 VAC 20-21-10 et seq.) and new regulations (8 VAC 20-22-10 et seq.) are being promulgated.

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
Repealed	10	Repealed	Definitions of new license types are incorporated in this section. Definition of Experiential Learning was added.
Repealed	20	Repealed	Reference to modification of college and university programs is removed from the proposed regulations (reference will be inserted the proposed <i>Regulations Governing the Review and Approval of Education Programs in Virginia</i> , which are also undergoing revision at this time).
Repealed	40	Repealed	Individuals must complete the professional teacher's assessments within one full school year of the contractual date of employment. The number of years of teaching experience to exempt an individual from all professional teacher's assessments has been increased from two to three years, and individuals also must hold a valid out-of-state license (full credential with no deficiencies) to be exempted. [Current regulations require two years of teaching experience and no out-of-state license.] Individuals seeking initial licensure must demonstrate proficiency in the use of educational

			<p>technology for instruction, complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board of Education in consultation with the Department of Social Services, and receive professional development in instructional methods tailored to promote student academic progress and effective preparation for the Standards of Learning end-of-course and end-of-grade assessments.</p>
Repealed	50	Repealed	<p>The names of licenses offered are as follows. The Eligibility License and Special Education Conditional License will be incorporated under the Provisional License. The School Manager License was added.</p> <p style="padding-left: 40px;">Provisional License Collegiate Professional License Postgraduate Professional License Technical Professional License Pupil Personnel Services License School Manager License (new license type) Division Superintendent License International Educator License (new license type)</p> <p>The current regulations state that all licenses will be effective from July 1 in the school year when application is made. The proposed regulations recommend the following revision that will require that assessment requirements be completed during the first year of employment:</p> <p>All licenses will be effective from July 1 in the school year in which the application is made except for the Provisional License when an individual needs to meet assessment requirements prescribed by the Board of Education. The Provisional License, with the exception of individuals in a career switcher program, will be dated one year from the contractual date of employment in a Virginia public or accredited nonpublic school if the individual has not met testing requirements prescribed by the Board of Education. A Virginia employing education division or agency is required to notify employees in writing at the time of employment of the need to meet appropriate assessment requirements for licensure within a year from the contractual date of employment.</p>
Repealed	60	Repealed	<p>This section of the regulations will establish the following designations on licenses to reflect stages in the professional development of teachers and promote continuing growth and career paths as educators. Criteria and implementation of</p>

			<p>procedures will be set forth by the Virginia Department of Education. These designations will not apply to the Division Superintendent License or the Pupil Personnel Services License.</p> <ol style="list-style-type: none"> 1. Career Teacher: This teacher designation will be issued on a renewable teaching license for individuals who have gained continuing contract status in Virginia. 2. Mentor Teacher: This voluntary teacher designation will be issued on a renewable teaching license for individuals who have achieved the career teacher designation; received a recommendation for the designation from an employing Virginia school division superintendent or designee or accredited nonpublic school head; served at least three years as a mentor teacher in Virginia; documented responsibilities as a mentor; and completed a local or state mentor teacher training program in accordance with the Board of Education requirements for mentor teachers. 3. Teacher as Leader: This voluntary teacher designation will be issued on a renewable teaching license for individuals who have achieved the career teacher designation; completed at least five years of successful, full-time teaching experience in a Virginia public school or accredited nonpublic school; received the recommendation from an employing Virginia school division superintendent or designee or accredited nonpublic school head; and completed one of the following: <ul style="list-style-type: none"> 4. National Board Certification or a nationally recognized certification program approved by the Board of Education and demonstrated skills and abilities as a school leader as verified by a Virginia school division superintendent or designee or accredited nonpublic school head; or b. a recommendation from an employing Virginia school division superintendent or designee or accredited nonpublic school head and documentation in an approved Department of Education format verifying the individual's demonstrated skills and abilities as a school leader and direct contributions to school effectiveness and student achievement.
Repealed	70	Repealed	An individual who holds a teaching license may add an additional endorsement to the license by passing a rigorous academic subject test prescribed by the Board of Education. This testing

			option does not apply to individuals who are seeking an early/primary prek-3 or elementary education prek-6 endorsement or who hold a technical professional license, vocational evaluator license, pupil personnel services license, or division superintendent license.
Repealed	90	Repealed	Individuals seeking initial licensure through an alternate route may substitute experiential learning in lieu of coursework in accordance with criteria and procedures established by the Board of Education. The specific criteria are outlined.
Repealed	100	Repealed	<p>Licensure by reciprocity is provided for individuals who have obtained a valid out-of-state license (full credential without deficiencies) that is in force at the time the application for a Virginia license is received by the Department of Education. The individual must establish a file in the Department of Education by submitting a complete application packet, which shall include official student transcripts. An assessment of basic skills as provided in Section <u>22.1-298</u> of the <i>Code of Virginia</i> and service requirements shall not be imposed for these licensed individuals; however, other licensure assessments as prescribed by the Board of Education shall be required.</p> <p>The number of years of teaching experience to exempt an individual from all professional teacher's assessments has been increased from two to three years, and individuals also must hold a valid out-of-state license (full credential with no deficiencies) to be exempted. [Current regulations require two years of teaching experience and no out-of-state license.]</p>
Repealed	110	Repealed	<p>Renewal activities must be based on an individualized professional development plan that includes ongoing, sustained, and high-quality professional development.</p> <p>Definitions of the renewal options have been incorporated in the regulations.</p> <p>Peer observation and educational travel have been eliminated as renewal options.</p>
Repealed	130	Repealed	Proposed coursework in professional studies is as follows: three-semester-hours in human growth and development, three-semester-hours in curriculum and instructional procedures, three semester hours in instructional design based on assessment data, three semester hours in classroom management, and six semester hours in reading. The professional studies requirements may be taught in integrated coursework or modules.

			The number of hours of student teaching is proposed to be increased from 300 to 500 clock hours (including pre- and post clinical experiences).
Repealed	140	Repealed	Additional computer technology coursework will not be required because teachers are required by the <i>Code of Virginia</i> to meet the Technology Standards for Instructional Personnel as established by the Board of Education.
Repealed	150	Repealed	Additional computer technology coursework will not be required because teachers are required by the <i>Code of Virginia</i> to meet the Technology Standards for Instructional Personnel as established by the Board of Education.
Repealed	160	Repealed	The middle education 6-8 endorsement may be issued in at least one area of concentration. [Currently, two areas of concentration are required.]
Repealed	180	Repealed	Proposed coursework in professional studies is as follows: three-semester-hours in human growth and development, three-semester-hours in curriculum and instructional procedures, three semester hours in instructional design based on assessment data, three semester hours in classroom management, and three semester hours in reading (for adult education, prek-12, and secondary grades 6-12) and six semester hours (for special education). The professional studies requirements may be taught in integrated coursework or modules. The number of hours of student teaching is proposed to be increased from 300 to 500 clock hours (including pre- and post clinical experiences).
Repealed	210	Repealed	The name of the endorsement is proposed to be changed from Vocational education-agricultural education to Career and technical education--agricultural education.
Repealed	220	Repealed	The name of the endorsement is proposed to be changed from Vocational education-business education to Career and technical education -- business and information technology. Endorsement requirements are proposed to be changed to reflect contemporary business terminology.
Repealed	230	Repealed	The name of the endorsement is proposed to be changed from Vocational education-work and family studies to Career and technical education--family and consumer sciences.
Repealed	240	Repealed	The name of the endorsement is proposed to be changed from Vocational education-health occupations education to Career and technical education--health and medical sciences.
Repealed	250	Repealed	The name of the endorsement is proposed to be changed from Vocational education- industrial

			cooperative training to Career and technical education--industrial cooperative training.
Repealed	260	Repealed	The name of the endorsement is proposed to be changed from Vocational education-marketing education to Career and technical education--marketing education.
Repealed	270	Repealed	The name of the endorsement is proposed to be changed from Vocational education-technology education to Career and technical education-technology education.
Repealed	280	Repealed	The name of the endorsement is proposed to be changed from Vocational education-trade and industrial education to Career and technical education-trade and industrial education.
Repealed	290	Repealed	The name of the endorsement is proposed to be changed from Vocational education-vocational special needs to Career and technical education-vocational special needs.
Repealed	310	Repealed	The name of the endorsement is proposed to be changed from Dance prek-12 to Dance arts prek-12.
Repealed	320	Repealed	The number of minimum hours of in-car instruction is proposed to be changed from 20 to 14 hours of actual behind-the-wheel supervised teaching experience and 2 hours of basic evasive maneuvers is proposed to be added.
Repealed	330	Repealed	The descriptor for the advanced composition course is proposed to be changed from "expository and technical writing" to "expository and informational writing."
Repealed	340	Repealed	Currently six semester hours of electives are required for the endorsement. A revision is proposed to change the electives to 3 semester hours and designate the additional 3 semester hours to be taken in the teaching of reading. A descriptor for the teaching of reading requirements is proposed to be added.
Repealed	350	Repealed	Native speakers or candidates who have learned a foreign language without formal academic credit in a college or university will have the option of achieving a qualifying score on a foreign language assessment in the appropriate language as prescribed by the Board of Education. Native speakers or candidates who have learned American Sign Language without formal academic credit in a college or university will have the option of demonstrating proficiency by completing requirements of an assessment in American Sign Language prescribed by the Board of Education.
Repealed	370	Repealed	The human anatomy, physiology, and kinesiology

			requirement is proposed to be changed from 12 semester hours to 9-12 semester hours. The health methods requirement is proposed to be changed from 6 semester hours to 3 semester hours. The health and physical education electives requirement is proposed to be changed to 3-6 semester hours from 6 semester hours.
Repealed	380	Repealed	<p>The following requirements are proposed for the history and social sciences endorsement:</p> <p>Completed 42 semester hours of coursework distributed in the following areas:</p> <p>History: a major in history or 18 semester hours in history (must include coursework in American history, Virginia history, and world history);</p> <p>Political science: 12 semester hours in political science to include coursework in American government (state and local government);</p> <p>Geography: 6 semester hours; and</p> <p>Economics: 6 semester hours.</p>
Repealed	400	Repealed	<p>The following underlined language is proposed to be added as a descriptor to the six semester hours in keyboarding requirement as follows:</p> <p>Completion of 6 semester hours in keyboarding. <u>Three of the hours must be from formal keyboarding instruction (or documented demonstrated mastery of the touch keyboarding skill), and three hours must include document formatting skills/word processing/computer applications).</u></p>
Repealed	420	Repealed	<p>The following underlined language is proposed to be added to the descriptor for the algebra requirement:</p> <p>Algebra --Experience shall include linear <u>(matrices, vectors, and linear transformations)</u> and abstract algebra <u>(ring, group, and field theory)</u>. <u>[A college or university may integrate the competencies within specified coursework and document the completion of these competencies];</u></p>
Repealed	430	Repealed	Probability and statistics are required for the Algebra I endorsement.
Repealed	480	Repealed	Environmental science is proposed to be added as a major so that individuals with a major in environmental science can complete at least one course in each of the following: oceanography, meteorology, and astronomy and meet the endorsement requirements.
Repealed	500	Repealed	The following underlined language is proposed to

			further describe the requirements: <u>foundations and legal aspects of special education, assessment techniques for young children with disabling and at-risk condition-</u>
Repealed	520 and 530	Repealed	The endorsements of special education-specific learning disabilities, special education-mental retardation, special education-emotional disturbances, and special education-severe disabilities are proposed to be eliminated. Endorsements in special education-adapted curriculum and special education-general curriculum are proposed to be established.
Repealed	540	Repealed	The speech-language pathology assistant endorsement is proposed to be established.
Repealed	570	Repealed	The descriptor for the requirement of “theatre history” is proposed to be changed to “cultural context and theatre history.”
Repealed	580	Repealed	The name of the endorsement is proposed to be changed from Art prek-12 to Visual arts prek-12. The requirement of the “History of art, aesthetics, and criticism” is proposed to be changed to “Cultural context and art history, judgment and criticism, and aesthetics.”
Repealed	590	Repealed	Two levels are proposed for the administration and supervision prek-12 endorsement. Level I is required to serve as a building-level administrator or central office supervisor, and Level II is an optional endorsement to which an experienced building-level administrator may aspire. Three options are proposed to become eligible for the administration and supervision endorsement: <ol style="list-style-type: none"> 1. Approved program route to Level I administration and supervision preK-12 endorsement. 2. Alternate route to Level I administration and supervision preK-12 endorsement. and 3. Out-of-state administration and supervision endorsement. A building-level administrator may seek Level II endorsement in administration and supervision preK-12 after successfully serving as a building-level administrator for at least five years in an accredited school and successfully completing a formal induction program as a principal or assistant principal. In order to earn Level II endorsement, the candidate must meet two or more of criteria listed in the regulations as specified by the Board of Education.
Repealed	610	Repealed	The mathematics specialist is proposed as a new endorsement.

Repealed	640	Repealed	The school manager license is proposed as a new license.
Repealed	660	Repealed	No revisions are proposed for the school social worker endorsement. Please note that the visiting teacher endorsement is proposed to be discontinued.
Repealed	670	Repealed	The endorsement requirements are proposed to be located under the pupil personnel services area of the regulations.
Repealed	690	Repealed	The following information has been proposed as a technical amendment to the regulations as a reason for revocation: Knowingly and willfully with the intent to compromise the outcome of an athletic competition procures, sells, or administers anabolic steroids or causes such drugs to be procured, sold, or administered to a student who is a member of a school athletic team, or fails to report the use of such drugs by a student to the school principal and division superintendent as required by Section 22.1-279.3:1 of the <i>Code of Virginia</i> . Any person whose administrative or teaching license is suspended or revoked by the Board pursuant to this section shall be ineligible for three school years for employment in the public schools of the Commonwealth;
Repealed	710	Repealed	The following information has been proposed as a technical amendment to the regulations as a reason for suspension: Knowingly and willfully with the intent to compromise the outcome of an athletic competition procures, sells, or administers anabolic steroids or causes such drugs to be procured, sold, or administered to a student who is a member of a school athletic team, or fails to report the use of such drugs by a student to the school principal and division superintendent as required by Section 22.1-279.3:1 of the <i>Code of Virginia</i> . Any person whose administrative or teaching license is suspended or revoked by the Board pursuant to this section shall be ineligible for three school years for employment in the public schools of the Commonwealth;
Repealed	720	Repealed	The following underlined language is proposed to be added: Revocation, <u>suspension, or invalidation</u> of the license by another state or territory;
Repealed	740	Repealed	The following underlined language is proposed to be added: <u>The State Superintendent of Public Instruction is authorized to approve the issuance of licenses for individuals who have misdemeanor convictions related to drugs based on a review of the cases. No individual would be denied a license without a hearing of the Board of Education.</u>



Proposed Regulation Agency Background Document

Agency name	Virginia Department of Education
Virginia Administrative Code (VAC) citation	8 VAC 20 -542-10
Regulation title	Regulations Governing the Review and Approval of Education Programs in Virginia
Action title	Regulations Governing the Review and Approval of Education Programs in Virginia
Document preparation date	Revised June 28, 2006

Brief summary

The program approval process in Virginia is designed to ensure an alignment between approved education programs and the needs of prek-12 schools. Due to significant proposed revisions to the *Regulations Governing Approved Programs for Virginia Institutions of Higher Education*, (8 VAC 20-541-10 et. seq.), Effective July 1, 2001, the Board of Education proposes to promulgate new *Regulations Governing the Review and Approval of Education Programs in Virginia* (8 VAC 20-542-10 et. seq.).

The proposed new regulations are outlined in detail under the "Substance" section. Substantive elements of the proposed new regulations focus on revision of selected definitions to conform with changes in the proposed new regulations; modifications in administration of the proposed new regulations, including separation of the accreditation process from the program approval process; the development of regulations focused on biennial measures of accountability; and inclusion and modification of competencies for preparation programs for school personnel contained in the 1998 Regulations Governing the Licensure of School Personnel.

Basis

Code of Virginia, Section 22.1-16. Bylaws and regulations generally: The Board of Education may adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of this title.

Code of Virginia, Section 22.1-298.1. Regulations Governing Licensure: Persons seeking initial licensure who graduate from a Virginia institution of higher education shall, on or after July 1, 2002, only be licensed as instructional personnel by the Board of Education if the endorsement areas offered at such institution have been assessed by a national accrediting agency or by a state approval process, with final accreditation by the Board of Education.

Code of Virginia, Section 22.1-305.2 Advisory Board on Teacher Education and Licensure: The Advisory Board on Teacher Education and Licensure shall advise the Board of Education and submit recommendations on policies applicable to [Teacher Education and Licensure].

Purpose

As stipulated in Section 22.1-298 of the *Code of Virginia*, the Board of Education prescribes the requirements for the licensure of teachers and establishes other requirements for teacher preparation.

The program approval process in Virginia is designed to ensure an alignment between approved education programs and the needs of prek-12 schools. For this reason, the proposed regulation is essential to the welfare of Virginia's citizens because the regulation will help ensure that programs of teacher education are of high quality and, therefore, our schools will be staffed with qualified teachers.

During recent years, national, state, and local educators as well as members of the general public have placed increased emphasis on the need to ensure in our nation's schools the provision of highly qualified teachers who in turn make a positive impact on prek-12 student achievement. Federal legislation such as the *2001 No Child Left Behind Act (NCLB)* and the *1998 Reauthorization of the Title II Higher Education Act (Title II HEA)* clearly express the need for increased accountability from states and institutions of higher education in the preparation, certification, and licensure of teachers and other school personnel.

Substance

8VAC 20-542-20. Administering the Regulations

- The following modifications have been incorporated in this section:
 - Professional education programs shall obtain national accreditation from the National Council for the Accreditation of Teacher Education (NCATE), the Teacher Education Accreditation Council (TEAC), or a process approved by the Board of Education.
 - Teacher candidates shall complete academic degrees in the arts and sciences (or equivalent), except in health, physical, and career and technical education. Candidates in early/primary education (pre-K-6), middle education (6-8), and special education programs may complete a major in interdisciplinary studies or its equivalent.
 - Professional studies coursework and methodology, excluding field experiences, are limited to 24 semester hours for any baccalaureate degree program (or equivalent thereof) in early/primary education (prek-3), elementary education (prek-6), and special education. All other baccalaureate degree programs (or equivalent thereof) shall not exceed 18 semester hours of professional coursework and methodology, excluding field experiences.

- Institutions of higher education seeking approval of an education program shall be accredited by a regional accrediting agency.
- If a professional education program fails to maintain accreditation, enrolled candidates shall be permitted to complete their programs of study. Professional education programs shall not admit new candidates. Candidates shall be notified of program approval status.
- Education programs shall ensure that candidates demonstrate proficiency in the use of educational technology for instruction and complete study in child abuse recognition and intervention.
- Standards and procedures for the review and approval of each education program shall adhere to procedures for administering the regulations as defined in Part II, 8 VAC 20-542-20, Part IV, 8 VAC 20-542-40, Part V, 8 VAC 20-542-50, and Part VII, 8 VAC 20-542-70. These procedures shall result in biennial recommendations to the Board of Education for one of the following three ratings: "approved," "approved with stipulations," or "approval denied."
- Education programs shall be approved under these regulations biennially based on compliance with the criteria described in 8 VAC 20-542-40.
- Education programs shall submit to the Department of Education, on behalf of each education program under consideration, a Program Compliance Certification Affidavit in accordance with Department procedures and timelines.
- The education program administrator shall maintain copies of approved programs and required reports.
- The Department of Education may conduct on-site visits to review programs and verify data.

8 VAC 20-542-30. Accreditation or a Process Approved by the Board of Education

- Each professional education program shall obtain and maintain national accreditation from the National Council for the Accreditation of Teacher Education (NCATE), the Teacher Education Accreditation Council (TEAC), or a process approved by the Board of Education.
- Each professional education program seeking accreditation through a process approved by the Board of Education shall be reviewed. A report of the review shall be submitted to the Board of Education in accordance with established timelines and procedures and shall include one of the following recommendations: 1) accredited; 2) accredited with stipulations; or 3) accreditation denied.
 - Accredited – The professional education program meets standards outlined in Part VI, 8 VAC 20-542-60.
 - Accredited with Stipulations – The professional education program has met the standards minimally, but significant weaknesses have been identified. Within a two year period, the professional education program shall fully meet standards as set forth in Part VI, 8 VAC 20-542-60.

- Accreditation Denied – The professional education program has not met standards as set forth in Part VI, 8 VAC 20-542-60. The State Council of Higher Education for Virginia (SCHEV) shall be notified of this action by the Department of Education. Professional education program accreditation that has been denied may be considered by the Board of Education after two years if a written request for review is submitted to the Department of Education.
- Professional education programs seeking accreditation through a process approved by the Board of Education shall adhere to the following requirements:
 1. Alignment with the accreditation standards in Part VI, 8 VAC 20-542-60; and
 2. Alignment with the competencies for endorsement areas in Part VII, 8 VAC 20-542-70 of these regulations.

8 VAC 20-542-40. Standards for Biennial Approval of Education Programs

- Approved education programs in Virginia shall have national accreditation or be accredited by a process approved by the Board of Education and demonstrate achievement biennially of the following accountability measures:
 1. candidate progress and performance on prescribed Board of Education licensure assessments;
 2. candidate progress and performance on an assessment of basic skills as prescribed by the Board of Education for individuals seeking entry into an approved education preparation program;
 3. structured and integrated field experiences to include directed student teaching requirements;
 4. evidence of opportunities for candidates to participate in hard-to-staff schools throughout the field experiences;
 5. evidence of contributions to prek-12 student achievement by candidates completing and exiting the program;
 6. evidence of employer job satisfaction with candidates completing and exiting the program;
 7. partnerships and collaborations based on prek-12 school needs; and
 - ~~8. evidence of increased candidate enrollment.~~

8 VAC 20-542-50. Application of Standards for Biennial Approval of Education Programs

- As a prerequisite to program approval, the professional education program shall have national accreditation or be accredited by a process approved by the Board of Education as prescribed in Part III, 8 VAC 20-542-30 and Part IV, 8 VAC 20-542-60 Failure to do so will result in the education program being designated as “Approval Denied.”
- The education program’s candidate passing rates shall not fall below 70 percent biennially for individuals completing and exiting the program. Achievement of an 80

percent biennial passing rate for individuals completing and exiting the program shall be required by July 1, 2010.

- The education program is responsible to certify documented evidence that standards as set forth in Part IV, 8 VAC 20-542-40 have been met.
- The education program shall develop biennial accountability measures to be reviewed and approved by the Board of Education for ~~the following standards: [partnerships and collaborations based on preK-12 school needs.]~~ The education program shall meet or provide documented evidence of progress made toward meeting the biennial accountability measures approved for these standards.

~~1. Partnerships and collaborations based on preK-12 school needs.~~

~~2. Evidence of increased candidate enrollment.~~

- After submitting to the Department of Education the information contained in Part V, 8 VAC 20-542-50, the education program shall receive one of the following three ratings:
 1. Approved – The education program has met all standards set forth in Part IV, 8 VAC 20-542-40.
 2. Approved with Stipulations – The education program has met standards A and B and is making documented progress toward meeting standards in C and D set forth in Part V, 8 VAC 20-542-50.
 3. Approval Denied – The education program has not met standards A and B set forth in Part V, 8 VAC 20-542-50. The program shall be denied and the public notified. The program may resubmit a request for approval at the end of the next biennial period.

8 VAC 20-542-60. Standards for Board of Education Approved Accreditation Process

- Standards for the Board of Education approved accreditation process are set forth in Part VI, 8 VAC 20-542-60 of the proposed regulations.

8 VAC 20-542-70. Competencies for Endorsement Areas

- The competencies in the 1998 *Regulations Governing the Licensure of School Personnel* were modified and moved to the *Proposed Regulations Governing Review and Approval of Education Programs in Virginia*.

8 VAC 20-542-80. Professional studies requirements for early/primary education, elementary education, and middle education; and

8 VAC 20-542-120. Professional studies requirements for preK-12 endorsements, special education, secondary grades 6-12 endorsements, and adult education.

- Removed coursework on Foundations of Education;
- Added coursework on Instructional Design Based on Assessment Data and coursework on Classroom Management;
- Added language regarding second language learners;

- Revised student teaching experience to require a minimum of 500 clock hours with at least 300 clock hours in direct teaching activities.

8 VAC 20-542-460. Special Education - special education adapted curriculum K-12; and

8 VAC 20-542-470. Special Education - special education general curriculum K-12.

- Removed endorsements in special education-emotionally disturbances, special education-mental retardation, special education-severe disabilities, and special education-specific learning disabilities.
- Established new endorsements in special education adapted curriculum K-12 and special education general curriculum K-12.

8 VAC 20-542-480 Special Education - speech-language pathology assistants prek-12.

- Established a new endorsement for speech-language pathology assistants.

8 VAC 20-542-530. Administration and supervision prek-12.

- Added the requirement of a school leaders assessment as prescribed by the Board of Education for individuals seeking an initial endorsement for administration and supervision as a principal or an assistant principal;
- Added requirement for completion of internship, to include 440 clock hours, with a minimum of 320 clock hours of a deliberately structured and supervised experience.

8 VAC 20-542-540. Mathematics specialist for elementary and middle education.

- Established an endorsement in mathematics specialist for elementary and middle education.

8 VAC 20-542-590. Special education speech-language disorders prek-12.

- Moved the special education speech-language disorders prek-12 endorsement to the pupil personnel services support section of the regulations.

Issues

The *Code of Virginia* requires that the Board of Education prescribe the requirements for the licensure of teachers and establishes other requirements for teacher preparation. New regulations are needed to respond to enactments of federal and state laws, thereby ensuring that Virginia's teacher training programs are in compliance with state and federal laws. The primary advantage is that the proposed new regulations will be aligned with federal and state laws and recommendations to improve the preparation of instructional personnel in Virginia. There are no known disadvantages of the regulation to the state, to the regulated entities, or to the citizens.

Economic impact

Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source / fund detail, and (b) a delineation of one-time versus on-going expenditures	The implementation of approved program regulations will have administrative costs borne by the Department of Education, colleges and universities and other entities seeking education program approval.
Projected cost of the regulation on localities	Cost to localities should be minimal.
Description of the individuals, businesses or other entities likely to be affected by the regulation	37 colleges and universities with approved education programs; other entities, including school divisions seeking education program approval; and the Virginia Department of Education
Agency's best estimate of the number of such entities that will be affected	37 colleges and universities; 132 school divisions
Projected cost of the regulation for affected individuals, businesses, or other entities	If an on-site review of education programs is required, the host professional education program will fund expenses.

Alternatives

Input has been received from a variety of audiences in the education community to develop the proposed regulations. The requirements were reviewed and developed. However, no specific alternatives other than promulgating new regulations have been considered to meet the purpose of this action. It should be noted that plans to monitor these regulations, if approved, will be done electronically. The proposed regulations set out nine accountability measures that can be electronically reported and evaluated.

Public comment

Commenter	Comment	Agency response
Professors and Deans representing public and private universities (Randolph Macon College and Radford University)	University representatives expressed opposition to the proposed requirement of a "critical mass" of candidates as a determinant for biennial approval of education programs.	During the Board of Education's first review of the proposed regulations, the term "critical mass" was deleted and a change was made in the proposed language to require "evidence of increased candidate enrollment" in education programs as a biennial measure of accountability. No other changes were made.

Family impact

The proposed new regulations have no potential impact on the institution of the family and family stability.