

Virginia Board of Education Agenda Item



Agenda Item: H

Date: October 25, 2012

Title	Final Review of a Proposed Amendment to the <i>Licensure Regulations for School Personnel</i> (8 VAC 20-22-10 et seq.) to Conform to House Bill 1295 and Senate Bill 679 Passed by the 2012 General Assembly		
Presenter	Mrs. Patty S. Pitts, Assistant Superintendent for Teacher Education and Licensure		
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Purpose of Presentation:

Action required by state or federal law or regulation.

Previous Review or Action:

Previous review and action. Specify date and action taken below:

Date: September 23, 2010

Action: Board of Education Approval of a Proposed Amendment to the *Licensure Regulations for School Personnel* (8 VAC 20-22-10 et seq.) to Conform to Senate Bill 715 Passed by the 2010 General Assembly

Date: September 27, 2012

Action: First Review of a Proposed Amendment to the *Licensure Regulations for School Personnel* (8 VAC 20-22-10 et seq.) to Conform to [House Bill 1295](#) and [Senate Bill 679](#) Passed by the 2012 General Assembly

Action Requested:

Final review: Action requested at this meeting.

Alignment with Board of Education Goals: Please indicate (X) all that apply:

	Goal 1: Expanded Opportunities to Learn
	Goal 2: Accountability of Student Learning
	Goal 3: Nurturing Young Learners
	Goal 4: Strong Literacy and Mathematics Skills
	Goal 5: Highly Qualified and Effective Teachers and Administrators
	Goal 6: Sound Policies for Student Success
	Goal 7: Safe and Secure Schools
X	Other Priority or Initiative. Specify: The amendment to the <i>Licensure Regulations for School Personnel</i> is required to conform to legislation by the 2012 General Assembly.

Background Information and Statutory Authority:

The Board of Education *Licensure Regulations for School Personnel* and the *Regulations Governing the Review and Approval of Education Programs in Virginia* became effective September 21, 2007.

The 2010 General Assembly passed [Senate Bill 715](#) requiring civics education training specific to Virginia for educators. The legislation passed by the 2010 General Assembly stated:

CHAPTER 814

Be it enacted by the General Assembly of Virginia:

1. § 1. That the Board of Education shall amend its regulations to require that all teacher education preparation programs in early/primary preK-3, elementary education preK-6, middle education 6-8, and history and social sciences include local government and civics instruction specific to Virginia.

§ 2. That the Board of Education shall amend its regulations to require any individual seeking renewal of a license with an endorsement in early/primary preK-3, elementary education preK-6, middle education 6-8, history and social sciences, history, or political science to complete study of the structures, function, and powers of state and local government of Virginia and the importance of citizen participation in the political process in state and local government of Virginia. The study may be satisfactorily completed using any applicable option described in the Virginia Licensure Renewal Manual. This requirement shall be met one time for the individual's next renewal after July 1, 2012.

2. That the Board of Education shall promulgate regulations to implement the provisions of this act to be effective by July 1, 2011.

The Board of Education *Licensure Regulations for School Personnel* (8VAC20-22-10 et seq.) and the *Regulations Governing the Review and Approval of Education Programs in Virginia* (8VAC20-542-10 et seq.) were amended to conform to the legislation, and the amended regulations became effective on January 19, 2011.

[House Bill 1295](#) and [Senate Bill 679](#) passed by the 2012 General Assembly eliminated § 2 of Chapter 814 of the Acts of Assembly of 2010. The legislation passed by the 2012 General Assembly stated:

§ 51.5-89. Placement of blind persons in vacancies by Department; vending stands in Capitol; regulations.

...2. That § 2 of the first enactment of Chapter 814 of the Acts of Assembly of 2010 is repealed.

The action of the 2012 General Assembly, therefore, repealed the following language:

§ 2. That the Board of Education shall amend its regulations to require any individual seeking renewal of a license with an endorsement in early/primary preK-3, elementary education preK-6, middle education 6-8, history and social sciences, history, or political science to complete study of the structures, function, and powers of state and local government of Virginia and the importance of citizen participation in the political process in state and local government of Virginia. The study may be satisfactorily completed using any applicable option described in the Virginia Licensure Renewal Manual. This requirement shall be met one time for the individual's next renewal after July 1, 2012.

The *Licensure Regulations for School Personnel* must be amended to eliminate the language repealed by the 2012 General Assembly.

The Administrative Process Act provides for an exemption from executive branch review for regulations necessary to conform to changes in statutory law where no discretion is involved. The provision permits the regulation to become effective at the conclusion of the 30-day public comment period following publication in the *Virginia Register* unless a legislative or gubernatorial objection is filed or the Board suspends the regulatory process. Section 2.2-4006 of the *Code of Virginia* says, in part:

§ 2.2-4006. Exemptions from requirements of this article.

A. The following agency actions otherwise subject to this chapter and § [2.2-4103](#) of the Virginia Register Act shall be exempted from the operation of this article:

...

4. Regulations that are:

a. Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved; ...

B. Whenever regulations are adopted under this section, the agency shall state as part thereof that it will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision. The effective date of regulations adopted under this subsection shall be in accordance with the provisions of § [2.2-4015](#), except in the case of emergency regulations, which shall become effective as provided in subsection B of § [2.2-4012](#).

C. A regulation for which an exemption is claimed under this section or § [2.2-4002](#), or [2.2-4011](#) and that is placed before a board or commission for consideration shall be provided at least two days in advance of the board or commission meeting to members of the public that request a copy of that regulation. A copy of that regulation shall be made available to the public attending such meeting.

Summary of Important Issues:

The *Licensure Regulations for School Personnel* will be amended to eliminate the requirement that individuals seeking renewal of licenses with endorsements in early/primary preK-3, elementary education preK-6, middle education 6-8, and history and social sciences after July 1, 2012, must complete study of the structures, function, and powers of state and local government of Virginia and the importance of citizen participation in the political process in state and local government of Virginia. Attachment A outlines the language to be eliminated in Section 8VAC20-22-110 (Requirements for renewing a license) of the *Licensure Regulations for School Personnel*.

Impact on Fiscal and Human Resources:

There will be an administrative impact as Department of Education staff will need to process the regulatory change through the Administrative Process Act. This impact will be absorbed within existing resources.

Timetable for Further Review/Action:

The Department of Education will notify school divisions of the revision in the regulations when they become final, pursuant to the requirements of the Administrative Process Act. [Note: A Superintendent’s Memorandum was disseminated to school divisions to advise them of the action of the 2012 Virginia General Assembly.]

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education approve the proposed amendment to the *Licensure Regulations for School Personnel* and authorize Department of Education staff to proceed with the requirements of the Administrative Process Act.

*Licensure Regulations for School Personnel***8VAC20-22-110. Requirements for renewing a license.**

A. The Division Superintendent, Postgraduate Professional, Collegiate Professional, Technical Professional, Pupil Personnel Services, and School Manager Licenses may be renewed upon the completion of 180 professional development points within a five-year validity period based on an individualized professional development plan that includes ongoing, sustained, and high-quality professional development.

B. Virginia public school divisions and public education agencies must report annually to the Department of Education that instructional personnel have completed high quality professional development each year as set forth by the Virginia Department of Education.

~~C. Any individual seeking renewal of a license with an endorsement in early/primary preK-3, elementary education preK-6, middle education 6-8, history and social sciences, history, or political science must complete study of the structures, function, and powers of state and local government of Virginia and the importance of citizen participation in the political process in state and local government of Virginia. The study may be satisfactorily completed using any applicable option described in the Virginia Licensure Renewal Manual, effective September 21, 2007. This requirement shall be met one time for the individual's next renewal after July 1, 2012.~~

CD. Professional development points may be accrued by the completion of professional development activities to improve and increase instructional personnel's knowledge of the academic subjects the teachers teach or the area assigned from one or more of the following eight options.

1. College credit. Acceptable coursework offers content that provides new information and is offered on-campus, off-campus, or through extension by any regionally accredited two- or four-year college or university. College coursework must develop further experiences in subject content taught, teaching strategies, uses of technologies, leadership, and other essential elements in teaching to high standards and increasing student learning. At least 90 points for each five-year renewal shall be in the content area(s) currently being taught if the license holder does not hold a graduate degree. Instructional personnel must complete coursework to improve and increase the knowledge of the academic subjects or endorsement areas in which they are assigned.

2. Professional conference. A professional conference is a workshop, institute, or seminar of four or more hours that contributes to ongoing, sustained, and high-quality professional development.

3. Curriculum development. Curriculum development is a group activity in which the license holder contributes to the improvement of the curriculum of a school, a school division, or an education institution in the teaching area assigned. This includes the

alignment of curriculum frameworks, instructional materials, and assessments to provide a system with clear expectations of what is to be taught and learned.

4. Publication of article. The article must contribute to the education profession or to the body of knowledge of the license holder's teaching area or instructional position. Grant reports that present the results of educational research are acceptable provided the license holder had an active role in planning, analyzing, interpreting, demonstrating, disseminating, or evaluating the study or innovation. The article must be published in a recognized professional journal.

5. Publication of book. Books must be published for purchase and must contribute to the education profession or to the body of knowledge of the license holder's teaching area or instructional position. The published book must increase the field of content knowledge, planning and assessment for evaluating and providing students with feedback that encourages student progress and measures student achievement, instruction, safety and learning environment, communication and community relations working with students, parents, and members of the community to promote broad support for student learning. Points will not be awarded for books self-published.

6. Mentorship. Mentoring is the process by which an experienced professional, who has received mentorship training, provides assistance to one or more persons for the purpose of improving their performance. Assistance may involve role modeling, direct instruction, demonstration, observation with feedback, developing of plans, and consultation to promote instructional excellence and increased student achievement. Mentoring may include the supervision of a field experience of a preservice student teacher or an intern in an approved teacher/principal preparation program, as well as mentoring as part of the induction process for a beginning teacher or a first-year administrator. Individuals serving in this role and submitting documentation for license renewal based on the mentorship option shall receive training as a mentor prior to the assignment and at least once during the five-year renewal cycle.

7. Educational project. Educational projects must be planned, focused projects based on high standards of teaching and learning. Projects must result in a written report or other tangible product. Projects must contribute to the education profession or to the body of knowledge of the license holder's teaching area or instructional position. A project could include participation in new professional responsibilities, such as leading a school improvement initiative.

8. Professional development activity. Professional development activities must focus on student learning and achievement, schoolwide educational improvement, leadership, subject content, teaching strategies, and use of technologies and other essential elements in teaching to high standards. Activities must be planned, rigorous, systematic, and promote continuous inquiry and reflection. Local employing educational agencies are encouraged to design professional development activities that are conducted in school settings and linked to student learning and achievement.

DE. A minimum of 90 points (three semester hours in a content area) at the undergraduate (two-year or four-year institution) or graduate level in the license holder's endorsement areas shall be required of license holders without a master's degree and may be satisfied at the undergraduate (two-year or four-year institution) or graduate level. Special education coursework designed to assist classroom teachers and other school personnel in working with students with disabilities, a course in gifted education, a course in educational technology, or a course in English as a second language may be completed to satisfy the content course requirement for one cycle of the renewal process. Professional development activities designed to support the Virginia Standards of Learning, Standards of Accreditation, and Assessments may be accepted in lieu of the content course for one renewal cycle. The substance of the activities must clearly support these initiatives and address one or more of the following areas: (i) new content knowledge to implement the Virginia Standards of Learning; (ii) curriculum development initiative designed to translate the standards from standards to classroom objectives; (iii) teaching beginning reading skills including phonemic awareness and the structure of language (phonics); (iv) staff development activities in assessment to assist classroom teachers in the utilization of test results to improve classroom instruction; and (v) professional development designed to implement the technology standards in the schools. Technical Professional License holders without baccalaureate degrees may satisfy the requirement through career and technical education workshops, career and technical education institutes, or through undergraduate coursework at two-year or four-year institutions.

EF. Content area courses are courses at the undergraduate level (two-year or four-year institution) or at the graduate level that will not duplicate previous courses taken in the humanities, history and social sciences, the sciences, mathematics, health and physical education, and the fine arts. These courses are usually available through the college or department of arts and sciences. License holders with elementary education, middle education, special education, or reading endorsements must satisfy the 90-point requirement through reading coursework or content coursework in one of the areas listed above. Courses available through a regionally accredited college's or institution's department of education may be used to satisfy the content requirement for those license holders with endorsements in health and physical education, career and technical education, and library science education.

FG. With prior approval of the division superintendent, the 90 points in a content area also may be satisfied through coursework taken to obtain a new teaching endorsement or coursework taken because of a particular need of a particular teacher.

GH. The remaining 90 points may be accrued by activities drawn from one or more of the eight renewal options. Renewal work is designed to provide licensed personnel with opportunities for professional development relative to the grade levels or teaching fields to which they are assigned or for which they seek an added endorsement. Such professional development encompasses (i) responsible remediation of any area of an individual's knowledge or skills that fail to meet the standards of competency and (ii) responsible efforts to increase the individual's knowledge of new developments in his field and to respond to new curricular demands within the person's area of professional competence.

HI. The proposed work toward renewal in certain options must be approved in advance by the chief executive officer or designee of the employing educational agency. Persons who are not employed by an educational agency may renew or reinstate their license by submitting to the Office of Professional Licensure, Department of Education, their individualized renewal record and verification of points, including official student transcripts of coursework taken at an accredited two-year or four-year college or university.

IJ. Accrual of professional development points shall be determined by criteria set forth by the Virginia Department of Education.

JK. Persons seeking license renewal as teachers must demonstrate proficiency in the use of educational technology for instruction.

KL. Virginia school divisions and nonpublic schools will recommend renewal of licenses using the renewal point system. The renewal recommendation must include verification of demonstrated proficiency in the use of educational technology for instruction.

LM. Training in instructional methods tailored to promote academic progress and effective preparation for the Standards of Learning tests and end-of-grade assessments is required for licensure renewal.

MN. If they have not already met the requirement, persons seeking licensure renewal as teachers must 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 that are relevant to the specific teacher licensure routes.



Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Education
Virginia Administrative Code (VAC) citation	8 VAC-20-22-10 et seq.
Regulation title	<i>Licensure Regulations for School Personnel</i>
Action title	Amend the <i>Licensure Regulations for School Personnel</i> to Conform to House Bill 1295 and Senate Bill 679 Passed by the 2012 General Assembly
Final agency action date	The Board of Education is expected to take final action on this amendment on October 25, 2012.
Document preparation date	September 14, 2012

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

[House Bill 1295](#) and [Senate Bill 679](#) passed by the 2012 General Assembly eliminated § 2 of Chapter 814 of the Acts of Assembly of 2010. The legislation passed by the 2012 General Assembly stated:

§ 51.5-89. *Placement of blind persons in vacancies by Department; vending stands in Capitol; regulations.*
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The *Licensure Regulations for School Personnel* must be amended to eliminate the language repealed by the 2012 General Assembly.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

The Virginia Board of Education is expected to take final action to amend the *Licensure Regulations for School Personnel* on October 25, 2012, pursuant to House Bill 1295 and Senate Bill 679 (2012).

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

The proposal would have no impact on the family or on family stability.