

# Board of Education Agenda Item

Item: \_\_\_\_\_ A. \_\_\_\_\_

Date: September 23, 2010

**Topic:** First Review 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

**Presenter:** Mrs. Patty S. Pitts, Assistant Superintendent for Teacher Education and Licensure

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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: \_\_\_\_\_

Action requested at this meeting       Action requested at future meeting: \_\_\_\_\_

**Previous Review/Action:**

No previous board review/action  
 Previous review/action  
date \_\_\_\_\_  
action \_\_\_\_\_

**Background Information:** The Board of Education *Licensure Regulations for School Personnel* 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 states:

*§ 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.*

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 Major Elements:

The *Licensure Regulations for School Personnel* will be amended to require 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 inserted in Section 8VAC20-22-110 (Requirements for renewing a license) of the *Licensure Regulations for School Personnel*.

The *Regulations Governing the Review and Approval of Education Programs in Virginia* (8 VAC 20-542-10 et seq.) also will be amended to require institutions of higher education with approved education (endorsement) programs in early/primary preK-3, elementary education preK-6, middle education 6-8,

and history and social sciences to incorporate study in local government and civics instruction specific to Virginia.

**Superintendent's Recommendation:** The Superintendent of Public Instruction recommends that the Board of Education receive for first review the proposed amendment to the *Licensure Regulations for School Personnel*, and authorize staff of the Department of Education to proceed with the remaining steps required by the Administrative Process Act.

**Impact on Resources:** The impact on resources for these regulations will include the cost of the development and delivery of the training and the resources to document and verify the completion of the requirement.

**Timetable for Further Review/Action:** The Department of Education will notify school divisions of the changes in the regulations when the regulations become final, pursuant to the requirements of the Administrative Process Act.

## Attachment A

### Proposed Amendments to the *Licensure Regulations for School Personnel* (8 VAC 20-22-10 et seq.)

#### **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 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.
- €D. 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....



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Department of Education
<b>Virginia Administrative Code (VAC) citation</b>	8 VAC 20-22-10 et seq.
<b>Regulation title</b>	<i>Licensure Regulations for School Personnel</i>
<b>Action title</b>	Local Government and Civics Instruction Requirement for License Renewal
<b>Final agency action date</b>	The Virginia Board of Education will receive the amendment to the regulations on October 28, 2010, for final review.
<b>Document preparation date</b>	September 8, 2010

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, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

### 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.*

The *Licensure Regulations for School Personnel* will 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.

### 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.*

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The Virginia Board of Education is expected to take final action to amend the *Licensure Regulations for School Personnel* on October 28, 2010, pursuant to SB 715 passed by the 2010 General Assembly and signed by the Governor.

**Family impact**

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

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Not applicable