



Virginia Department of Planning and Budget **Economic Impact Analysis**

8 VAC 20-23 Licensure Regulations for School Personnel
Department of Education
Town Hall Action/Stage: 5258 / 9047
October 16, 2020

Summary of the Proposed Amendments to Regulation

The Board of Education (Board) proposes to establish endorsements to teach in dual language instruction in pre-kindergarten through grade six (preK-6).

Background

Chapter 391 of the 2018 Acts of Assembly¹ requires that the Board “provide for licensure of teachers with an endorsement in dual language instruction pre-kindergarten through grade six.” The legislation defines “dual language instruction” as “instruction that is delivered in English and in a second language.” There are currently elementary school dual language programs in ten school divisions.² According to the Department of Education, other school divisions have expressed interest in adding such programs.

Currently, in order to teach in an elementary school dual language program in the foreign language, the teacher must have endorsements in both the foreign language and elementary education. In contrast, teaching in English in an elementary school dual language program only requires the elementary education endorsement. The Board proposes to establish separate endorsements for dual language instruction in pre-kindergarten through grade six in the “target language” and in English, where target language would be a foreign language (such as Spanish, French, etc.) as noted on the endorsement.

¹ See <https://lis.virginia.gov/cgi-bin/legp604.exe?181+ful+CHAP0391>

² The ten school divisions are Albemarle, Alexandria, Arlington, Chesterfield, Fairfax County, Harrisonburg, Newport News, Stafford, Winchester, and Virginia Beach.

Estimated Benefits and Costs

Dual Language (Target Language) Add-on Endorsement

The Board proposes both an endorsement and an add-on endorsement for Dual Language (Target Language). An add-on endorsement, only available for some fields, can be earned when a teacher already has at least one other endorsement. Add-on endorsements are not available for the majority of fields. For example, foreign languages and elementary education do not have add-on endorsements.

As alluded to above, currently a teacher with a foreign language endorsement would have to also obtain the elementary endorsement to teach in an elementary school dual language program in the foreign language. Under this proposed action, the teacher could either obtain the Dual Language (Target Language) preK-6 Add-on Endorsement or the Elementary Education Prek-6 Endorsement in order to teach in an elementary school dual language program in the foreign language. As discussed below, this proposal would potentially save such teachers seeking to teach in an elementary school dual language program in the foreign language many hours of coursework that would otherwise be required.

The tables below compare the requirements of the Dual Language (Target Language) preK-6 Add-on Endorsement with the Elementary Education prek-6 Endorsement.³ Both include options to pass rigorous elementary subject tests prescribed by the Board that reduce the required number of semester hours by specified amounts. Table 1 compares the paths without passing the rigorous tests, while Table 2 compares the paths with passing the rigorous tests.

Table 1: Comparison without Rigorous Elementary Subject Tests

	Dual Language	Elementary
Curriculum for dual language design/assessment	3 semester hours	n.a.
English	n.a.	12 semester hours
Mathematics	9 semester hours , including methods of teaching elementary mathematics	15 semester hours
Laboratory Sciences	two science disciplines: 9 semester hours that must	18 semester hours : 15 semester hours in at least

³ Some elements that are identical for both paths or differ somewhat but require the same number of semester hours, such as a bachelor's degree and professional studies respectively, are left out for the sake of brevity.

	include methods of teaching elementary science;	three science disciplines and at least a three-credit science methods course;
History and Social Sciences	9 semester hours: United States history-3 semester hours; geography, economics, or United States or comparative government-3 semester hours; and methods of teaching elementary history and social sciences-3 semester hours	12 semester hours: History (shall include American history and world history): 6 semester hours, and Social Science (shall include geography and economics): 6 semester hours
Arts	n.a.	3 semester hours
Total Semester Hours	30	60
Practicum in dual language (Target Language)	45 clock hours⁴	n.a.

Table 1 shows that without the rigorous subject tests, the Dual Language Add-On Endorsement path requires 30 semester hours and 45 clock hours in a practicum, while the Elementary Endorsement path requires 60 semester hours. Based on 34 CFR § 600.2,⁵ 45 clock hours convert to approximately three semester hours. Thus, without the rigorous tests, the establishment of the Dual Language (Target Language) preK-6 Add-on Endorsement could save teachers with a foreign language endorsement seeking to teach in an elementary school dual language program in the foreign language up to approximately 27 semester hours of coursework.

Table 2: Comparison with Rigorous Elementary Subject Tests

	Dual Language	Elementary
Curriculum for dual language design/assessment	3 semester hours	n.a.
Pass rigorous elementary subject tests prescribed by the Virginia Board of Education	English, Mathematics, Laboratory Sciences, and History	English, Mathematics, Laboratory Sciences, and History
English	n.a.	6 semester hours
Mathematics	n.a.	9 semester hours: 6 semester hours in mathematics and a 3-

⁴ Based on 34 CFR § 600.2, <https://www.law.cornell.edu/cfr/text/34/600.2>, 45 clock hours convert to approximately three semester hours.

⁵ See <https://www.law.cornell.edu/cfr/text/34/600.2>

		semester hour course on methods in teaching elementary mathematics
Laboratory Sciences	n.a.	12 semester hours: 9 semester hours (in two science disciplines) and a 3-semester hour course on methods in teaching elementary science
History and Social Sciences	n.a.	9 semester hours: 3 semester hours in history, 3 semester hours in social science (geography or economics), and a 3-semester hour course on methods in teaching elementary history and social sciences
Arts	n.a.	3 semester hours
Total Semester Hours	3	39
Practicum in dual language (Target Language)	45 clock hours⁶	n.a.

Table 2 shows that with passing the rigorous subject tests, the Dual Language Add-On Endorsement path requires just 3 semester hours and 45 clock hours in a practicum, while the Elementary Endorsement path requires 39 semester hours. As alluded to above, 34 CFR § 600.2 indicates that 45 clock hours convert to approximately three semester hours. Thus, with passing the rigorous subject tests, the establishment of the Dual Language (Target Language) preK-6 Add-on Endorsement could save teachers with a foreign language endorsement seeking to teach in an elementary school dual language program in the foreign language up to approximately 33 semester hours of coursework.

It should be noted that the proposed Dual Language (Target Language) preK-6 Add-on Endorsement does stipulate that the add-on endorsement can be earned by completing “an approved teacher preparation program in Dual Language (Target Language) preK-6 Add-on Endorsement.” No such programs currently exist. There is currently a separate proposed action

⁶ Ibid

that would amend *Regulations Governing the Review and Approval of Education Programs in Virginia* to enable the establishment of such teacher preparation programs.⁷

Dual Language (Target Language) Endorsement

For a teacher who has neither the foreign language endorsement nor the elementary endorsement, but who wishes to teach in an elementary school dual language program in the foreign language, the Board proposes the Dual Language (Target Language) preK-6 Endorsement. The comparison of requirements here would be between obtaining the dual language (target language) endorsement versus the requirements for obtaining both the foreign language endorsement and the elementary endorsement. As described below, this proposal would potentially save such teachers seeking to teach in an elementary school dual language program in the foreign language many hours of coursework that would otherwise be required.

The tables below compare the requirements of the Dual Language (Target Language) preK-6 Endorsement with the Foreign Language prek-12 and Elementary Education Prek-6 Endorsements. Both include options to pass rigorous subject tests prescribed by the Board that reduce the required number of semester hours by specified amounts. Table 3 compares the paths without passing the rigorous tests, while Table 4 compares the paths with passing the rigorous tests.

Table 3: Comparison without Rigorous Subject Tests

	Dual Language	Foreign Language and Elementary
Foreign Language Courses	a major in the foreign language; or 12 semester hours in the foreign language above the intermediate level	a major in the foreign language; or 30 semester hours in the foreign language above the intermediate level
Methods of teaching foreign languages	n.a.	3 semester hours
English	n.a.	12 semester hours

⁷ See <https://townhall.virginia.gov/L/ViewAction.cfm?actionid=5420>

Mathematics	9 semester hours , including methods of teaching elementary mathematics	15 semester hours
Laboratory Sciences	two science disciplines: 9 semester hours that must include methods of teaching elementary science;	18 semester hours : 15 semester hours in at least three science disciplines and at least a three-credit science methods course;
History and Social Sciences	9 semester hours : United States history-3 semester hours; geography, economics, or United States or comparative government-3 semester hours; and methods of teaching elementary history and social sciences-3 semester hours	12 semester hours : History (shall include American history and world history): 6 semester hours, and Social Science (shall include geography and economics): 6 semester hours
Culture and Civilization	3 semester hours	n.a.
Arts	n.a.	3 semester hours
Total Semester Hours	42	93

Table 3 shows that without the rigorous subject tests, the Dual Language Endorsement path requires 42 semester hours, while the Foreign Language and Elementary Endorsements path requires 93 semester hours. Thus, without the rigorous tests, the establishment of the Dual Language (Target Language) preK-6 Add-on Endorsement could save teachers seeking to teach in an elementary school dual language program in the foreign language, who have neither the foreign language endorsement nor the elementary endorsement, up to approximately 51 semester hours of coursework.

Table 4: Comparison with Rigorous Subject Tests

	Dual Language	Foreign Language and Elementary
Pass rigorous subject tests prescribed by the Virginia Board of Education	Foreign Language	Foreign Language, English, Mathematics, Laboratory Sciences, and History

Methods of teaching foreign languages	n.a.	3 semester hours
English	n.a.	6 semester hours
Mathematics	9 semester hours , including methods of teaching elementary mathematics	9 semester hours: 6 semester hours in mathematics and a 3-semester hour course on methods in teaching elementary mathematics
Laboratory Sciences	two science disciplines: 9 semester hours that must include methods of teaching elementary science;	12 semester hours: 9 semester hours (in two science disciplines) and a 3-semester hour course on methods in teaching elementary science
History and Social Sciences	9 semester hours: United States history-3 semester hours; geography, economics, or United States or comparative government-3 semester hours; and methods of teaching elementary history and social sciences-3 semester hours	9 semester hours: 3 semester hours in history, 3 semester hours in social science (geography or economics), and a 3-semester hour course on methods in teaching elementary history and social sciences
Culture and Civilization	3 semester hours	n.a.
Arts	n.a.	3 semester hours
Total Semester Hours	30	42

Table 4 shows that with passing the rigorous subject tests, the Dual Language Add-On Endorsement path requires 30 semester hours, while the Elementary Endorsement path requires 42 semester hours. Thus, with passing the rigorous subject tests, the establishment of the Dual Language (Target Language) preK-6 Endorsement could save teachers seeking to teach in an elementary school dual language program in the foreign language, who have neither the foreign language endorsement nor the elementary endorsement, up to approximately 12 semester hours of coursework.

It should be noted that the proposed Dual Language (Target Language) preK-6 Endorsement does stipulate that the endorsement can be earned by graduating “from an approved teacher preparation program in Dual Language (Target Language).” No such programs currently exist. As noted earlier, there is currently a separate proposed action that would amend *Regulations Governing the Review and Approval of Education Programs in Virginia* to enable the establishment of such teacher preparation programs.⁸

Dual Language (English)

The Board also proposes to establish an endorsement and an add-on endorsement for Dual Language (English) pre-K-6. Individuals who hold a valid Virginia teaching license with an elementary education endorsement may teach in an elementary school dual language program in English without the Dual Language (English) Endorsement or Add-on Endorsement. The proposed Dual Language (English) preK-6 Add-on Endorsement has a prerequisite of an endorsement in elementary education. The proposed add-on endorsement requires three semester hours in curriculum for dual language design/assessment and the 45-clock-hour practicum in dual language. Thus, though it does not officially qualify teachers to teach any additional classes, it could be useful for teachers who wish to distinguish themselves as candidates for teaching positions (in English) in an elementary school dual language program.

The proposed endorsement for Dual Language (English) pre-K-6 is very similar to the Elementary Education Pre-K-6 endorsement. The differences are the content of the required professional studies (same number of semester hours) and three semester hours of the arts required for the elementary endorsement. This proposed endorsement could be useful for teachers who know that they specifically want to teach in an elementary school dual language program in English.

Businesses and Other Entities Affected

The proposed amendments potentially affect the 132 local school divisions in the Commonwealth and the elementary schools within those school divisions. School divisions and elementary schools that currently have,⁹ or may be interested in establishing, elementary school dual language programs would be particularly affected. By making it considerably easier for

⁸ Ibid

⁹ Ten school divisions currently have elementary school dual language programs.

teachers to qualify to teach in an elementary school dual language program in the foreign language, these school divisions are likely to benefit by having a larger pool of qualified teachers from which to hire. The proposal does not increase costs.

Small Businesses¹⁰ Affected:

The proposed amendments do not appear to substantively affect small businesses.

Localities¹¹ Affected¹²

The proposed amendments particularly affect localities whose school divisions currently have or are considering establishing elementary school dual language programs. The school divisions for the following localities currently have elementary school dual language programs: Albemarle, Alexandria, Arlington, Chesterfield, Fairfax County, Harrisonburg, Newport News, Stafford, Winchester, and Virginia Beach. The proposed amendments do not introduce costs for local governments.

Projected Impact on Employment

The proposed amendments do not appear to substantively affect total employment.

Effects on the Use and Value of Private Property

The proposed amendments do not appear to substantively affect the use and value of private property nor real estate development costs.

Legal Mandates

General: The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 14 (as amended, July 16, 2018). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

Adverse impacts: Pursuant to Code § 2.2-4007.04(D): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and

¹⁰ Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

¹¹ “Locality” can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulatory change are most likely to occur.

¹² § 2.2-4007.04 defines “particularly affected” as bearing disproportionate material impact.

Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.