



Virginia
Regulatory
Town Hall

Notice of Intended Regulatory Action Agency Background Document

Agency Name:	Department of Education Division of Teacher Education and Licensure
VAC Chapter Number:	8 VAC 20-21-10 et.seq.
Regulation Title:	Licensure Regulations for School Personnel
Action Title:	Licensure Regulations Revisions
Date:	September 28, 2000

This information is required prior to the submission to the Registrar of Regulations of a Notice of Intended Regulatory Action (NOIRA) pursuant to the Administrative Process Act § 9-6.14:7.1 (B). Please refer to Executive Order Twenty-Five (98) and Executive Order Fifty-Eight (99) for more information.

Purpose

Please describe the subject matter and intent of the planned regulation. The description should include a brief explanation of the need for and the goals of the new or amended regulation.

The *Code of Virginia* requires that the Board of Education prescribe the requirements for licensure of teachers by regulation. In 1998, the Board of Education adopted new *Licensure Regulations for School Personnel* aligned with the *Standards of Learning*. Since the adoption of these regulations, several revisions have been proposed, including amendments and reenactments to the *Code of Virginia* that require specific changes to the licensure regulations.

Basis

Please identify the state and/or federal source of legal authority to promulgate the contemplated regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or discretionary. The correlation between the proposed regulatory action and the legal authority identified above should be explained. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority must be provided.

- **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].

Substance

Please detail any changes that would be implemented: this discussion should include a summary of the proposed regulatory action where a new regulation is being promulgated; where existing provisions of a regulation are being amended, the statement should explain how the existing regulation will be changed. The statement should set forth the specific reasons the agency has determined that the proposed regulatory action would be essential to protect the health, safety or welfare of citizens. In addition, a statement delineating any potential issues that may need to be addressed as the regulation is developed shall be supplied.

The proposed revisions to the *Licensure Regulations for School Personnel* are as follows:

- **Approved Programs [House Bill 2263, 1999 General Assembly; Section 22.1-298 of the Code of Virginia]**
Persons seeking initial licensure who graduate from Virginia institutions of higher education on or after July 1, 2002, are only to be licensed as instructional personnel by the Board of Education if the endorsement areas offered at such institutions have been assessed by a national accrediting agency or by a state approval process, with final accreditation by the Board of Education.

- **Local Eligibility License** [Senate Bill 113, 2000 General Assembly; Section 22.1-299.3 of the *Code of Virginia*] A mechanism was established for local school boards to issue a valid, three-year nonrenewable local eligibility license to teachers according to specified criteria.
- **National Board Certification Recognition for Initial Licensure** [House Bill 473 and Senate Bill 289, 2000 General Assembly; Section 22.1-298 of the *Code of Virginia*] The Board of Education is to provide licensure by reciprocity with comparable endorsement areas for individuals holding a valid out-of-state teaching license and national certification from the National Board for Professional Teaching Standards (NBPTS) or a nationally recognized certification program approved by the Board of Education. The application for such individuals must require evidence of such valid licensure and national certification but not require official student transcripts.
- **Gifted Education** [House Bill 1287, 1999 General Assembly, Section 22.1-298 of the *Code of Virginia*] Persons seeking licensure on and after July 1, 2000, must complete study in attention deficit disorder and gifted education, including the use of multiple criteria to identify gifted students.
- **Study in Instructional Methods** [House Bill 2710 and Senate Bill 1145, 1999 General Assembly; Section 22.1-298 of the *Code of Virginia*] The Board of Education is to require persons seeking initial licensure on or after July 1, 2003, to complete study in the instructional methods tailored to promote student achievement and effective preparation for the Standards of Learning end-of-course and end-of-grade assessments. Persons seeking licensure renewal on and after July 1, 2004, must receive training 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.
- **Study in Methods of Improving Communication, Ways of Increasing Family Involvement, and Standards of Learning** [House Bill 432, 1998 General Assembly; Section 22.1-298 of the *Code of Virginia*] Persons seeking initial licensure on and after July 1, 2002, must complete study in (i) methods of improving communication between schools and families; (ii) ways of increasing family involvement in student learning at home and in school; and (iii) the Standards of Learning.
- **Educational Technology** [House Bill 2263, 1999 General Assembly; Section 22.1-298 of the *Code of Virginia*] On or after July 1, 2003, individuals seeking licensure and licensure renewal as teachers must demonstrate proficiency in the use of educational technology for instruction.
- **Action on Licenses for Violating Test Security** [House Bill 867 and Senate Bill 548, 2000 General Assembly; Section 22.1-292.1 of the *Code of Virginia*] The Board of Education may suspend or revoke the administrative or teaching license of persons who knowingly and willfully commit specific acts regarding secure mandatory tests.

- **An Additional Licensure Option for the Regular Five-Year Division Superintendent License**

An individual may be a candidate for the five-year division superintendent license by meeting the following requirements:

1. Recommended for the division superintendent license by a Virginia school board;
2. Hold an advanced degree; and
3. Have significant experience in an executive or senior-level leadership position.

- **School Leaders Licensure Assessment**

The Board of Education approved that a qualifying score (cut-score) for the School Leaders Licensure Assessment be established after requiring the assessment for a three-year period for data collection purposes. Effective July 1, 2001, individuals seeking the administrative and supervisory endorsement must take the assessment.

Alternatives

Please describe, to the extent known, the specific alternatives to the proposal that have been considered or will be considered to meet the essential purpose of the action.

No specific alternatives to these proposals have been considered to meet the purpose of this action.

Family Impact Statement

Please provide a preliminary analysis of the potential impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

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