



Virginia
Regulatory
Town Hall

Final Regulation Agency Background Document

Agency Name:	Department of Education
VAC Chapter Number:	8 VAC 20-21-01
Regulation Title:	Licensure Regulations for School Personnel
Action Title:	Final Review of Proposed Licensure Regulations for School Personnel (8 VAC 20-21-01 et. Seq. - Establishing a Career Switcher Alternative Route to Licensure)
Date:	November 28, 2001

Please refer to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99), and the *Virginia Register Form, Style and Procedure Manual* for more information and other materials required to be submitted in the final regulatory action package.

Summary

Please provide a brief summary of the new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment; instead give a summary of the regulatory action. If applicable, generally describe the existing regulation. Do not restate the regulation or the purpose and intent of the regulation in the summary. Rather, alert the reader to all substantive matters or changes contained in the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. Please briefly and generally summarize any substantive changes made since the proposed action was published.

The most notable changes to the regulatory language to establish the career switcher alternative route to licensure program for career professions are:

1. Intensive Level I Preparation is defined as 180 clock hours of instruction, including field experience, rather than isolating hours for instruction and field experience.
2. The intensive summer session (Level I) may be expanded to a full one-year program. Level II will remain a full-year induction program with the assistance of a mentor.

3. Criteria for certification of programs were clearly established to provide guidance to program providers interested in conducting a career switcher program. The criteria include the following provisions:
 - a. Certified providers will receive a five-year certification at the end of the first year. Subsequent reviews will be conducted on a five-year cycle, or as deemed necessary.
 - b. Program providers must document that individuals accepted in the career switcher program meet the prerequisites, including the requirement that participants must have five years of full-time experience or equivalent.
 - c. The proposals submitted for program certification must include at least the following:
 1. Purpose, description, and program design for Level I and II for integrating the program preparation with curriculum and instruction.
 2. A description of collaborative and cooperative arrangements with educational agencies.
 3. The identification of credentials and qualifications of the program and seminar instructors and the preparation sites.
 4. A description of how the program will be administered and managed, including the identification of the program manager and fiscal agent.
 5. Maintenance of data and annual reporting to the Department of Education program and individual assessments.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency: including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

On November 27, 2001, the Board of Education approved the *Licensure Regulations for School Personnel* 8 VAC 20-21-01 et. seq. - Establishing a Career Switcher Alternative Route to Licensure.

Basis

Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority, shall be provided. If the final text differs from that of the proposed, please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the final regulation and that it comports with applicable state and/or federal law.

Code of Virginia, Section 22.1-16. **Bylaws and regulations generally states:** "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. **Regulations governing licensure states:** "The Board of Education shall, by regulation, prescribe the requirements for the licensure of teachers. Such regulations shall include a requirement that every teacher seeking initial licensure take a professional teacher's assessment prescribed by the Board. Notwithstanding any provision of law to the contrary, the Board may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any person who does not meet this requirement or any other requirement for licensure by law."

Purpose

Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the final regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.

Licensure Regulations for School Personnel were revised to include licensure regulations for career switcher alternative route to licensure programs for military personnel. This regulation became effective January 31, 2001. This proposed change in regulations will establish the career switcher alternative route to licensure to all professionals who have not completed a teacher preparation curriculum but have valuable life experiences, career achievements, and academic backgrounds that are relevant for teaching in pre-K through grade 12. To increase opportunities for school divisions to employ career switchers with rich experiences, an alternative route for career switchers for all professionals is proposed. This route to licensure will allow career switchers with professional experience to apply directly to the Department of Education for a license.

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement of the regulatory action's detail.

The proposed regulations expand the approved changes for *Licensure Regulations for Personnel*, effective January 31, 2001, to all professions. The proposed regulations provide clarification for meeting the professional studies requirements for Levels I and II. Level III would take place only if the employing agency recommends extending the "eligibility license" for a second year of employment. Clarification is provided for meeting the professional studies requirements for Levels I and II. A requirement of five-years of full-time work experience or its equivalent is recommended for participation in the program. A minimum of 180 clock hours of instruction

established for Level I for specific courses relating to the Standards of Learning, differentiation of instruction, classroom management, human growth and development and the field experience.

The scope of responsibilities of the mentoring program requirements during Level II preparation is provided supported by a recommendation for a five-year, renewable license by the employing educational agency. Program certification requirements were included to provide program providers regulatory language for submitting a proposal to conduct a career switcher program.

Issues

Please provide a statement identifying the issues associated with the final regulatory action. The term "issues" means: 1) the advantages and disadvantages to the public of implementing the new provisions; 2) the 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. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.

According to the federal government, schools will need 200,000 new teachers a year for the next decade--up from 150,000 in recent years--as student enrollment increases and current teachers retire. The proposed regulations would expand the program to individuals in other professions including military personnel who have an interest in teaching but have not completed a teacher preparation program. As a result, a number of individuals from other professions, including military would become eligible for the program. Participants who complete the program would be eligible for employment by school systems in Virginia. The proposed regulations do not present any disadvantages to the public or the Commonwealth.

Statement of Changes Made Since the Proposed Stage

Please highlight any changes, other than strictly editorial changes, made to the text of the proposed regulation since its publication.

The changes to the proposed regulations to establish the career switcher alternative route to licensure program for career professions include: intensive Level I Preparation defined as 180 clock hours of instruction, including field experience; the intensive summer session (Level I) may be expanded to a full one-year program; Level II will remain a full-year induction program with the assistance of a mentor; and criteria for certification of programs is clearly established to provide guidance to program providers interested in conducting a career switcher program. The criteria for certification of programs include the following provisions: certified providers will receive a five-year certification at the end of the first year. Subsequent reviews will be conducted on a five-year cycle, or as deemed necessary; and program providers must document that individuals accepted in the career switcher program meet the prerequisites, including the requirement that participants must have five years of full-time experience or equivalent. Proposals submitted for program certification must include at least the following: purpose, description, and program design for Level I and II for integrating the program preparation with curriculum and instruction; a description of collaborative and cooperative arrangements with educational agencies; the identification of credentials and qualifications of the program and

seminar instructors and the preparation sites; and a description of how the program will be administered and managed, including the identification of the program manager and fiscal agent.

Maintenance of data and annual reporting to the Department of Education program and individual assessments **Public Comment**

Please summarize all public comment received during the public comment period and provide the agency response. If no public comment was received, please include a statement indicating that fact.

A public hearing on the proposed revisions to the licensure regulations for school personnel (8 VAC 20-21-01 et.seq. - establishing a career switcher alternative route to licensure) was held on September 26, 2001. Three individuals presented comments during the public hearing while one individual submitted a written comment prior to the October 11, 2001 closing date.

Of the four public comments, three individuals made positive and supportive remarks regarding the proposed amendments to establish a career switcher program for career professions. However, one of three individuals who expressed support for the regulations indicated a concern that mentors were not required to attend training. The proposed regulations stipulate that a trained mentor must be assigned to assist the candidate. In addition, specific procedures and expectations addressed with under section VI of the board approved *Guidelines for Mentor Teacher Programs for Beginning and Experienced Teachers*. The fourth individual expressed nonsupport of the proposed regulations because of a lack of research that validates "short-cut" programs. The Division of Teacher Education and Licensure is currently undertaking an initiative to conduct a longitudinal study addressing the effectiveness of the program including the preparation requirements, the one-year induction period, and topics associated with admission, recruitment, retention, and employment. A summary of comments received on these proposed regulations is attached.

Detail of Changes

Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or crosswalk - of changes implemented by the proposed regulatory action. Include citations to the specific sections of an existing regulation being amended and explain the consequences of the changes.

The regulations expand the approved changes for *Licensure Regulations for Personnel*, effective January 31, 2001, to other professions, including military personnel. A change in wording from military personnel was made to career professions. A definition of certified provider and mentors is included to provide clarification and understanding of the term and phase. The regulations provide clarification of the professional studies requirements for Levels I and II during the course of a single year. Level III would take place only if the employing agency recommends extending the "eligibility license" for a second year of employment. Level I professional studies

requirements must include a minimum of 180 clock hours of instruction for the intensive preparation phase for specific courses relating to the Standards of Learning, differentiation of instruction, classroom management, human growth and development and the field experience. A minimum of five seminars and workshops was established for Level II preparation during the induction year. The scope of responsibilities of the mentoring program requirements during Level II preparation is provided along with a recommendation for a five-year, renewable license by the employing educational agency. Program certification requirements were included to provide program providers regulatory language for submitting a proposal to conduct a career switcher program. Certified providers will receive a five-year certification after the first year, then subsequent reviews conducted on a five-year cycle, or as deemed necessary. Program providers must document that applicants accepted in the program have met prerequisite requirements. Proposals submitted to the Department of Education for certification approval must address purpose, description, and program design; collaboration; training; project administration and management; maintenance of data and annual reporting; and evaluation of participants.

The proposed regulations require program providers for the career switcher program to adhere to regulations specified by the Board of Education. Programs must include prescribed requirements for preparation as well as candidate and program evaluation.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which 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 expansion of the alternative route for career switchers should not directly impact families. The program will provide career switchers opportunities to prepare to teach, therefore, providing a second career path. Prospective teachers in the career switcher program may complete the professional studies and teaching induction requirements within a single school year or two years depending on the program for which they select.