



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> (8 VAC 20-22-10 et seq.) to Conform to Senate Bill 1345 , Senate Bill SB 986 , and House Bill HB 2028 (2013 General Assembly)
Final agency action date	The Board of Education approved the proposed amendments to the Licensure Regulations for School Personnel (Exempt Action) on June 27, 2013.
Document preparation date	May 8, 2013

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.

The *Licensure Regulations for School Personnel* must be amended to comport with the following legislation passed by the 2013 General Assembly and signed by the Governor:

Senate Bill [1345](#)

The 2013 Virginia General Assembly passed Senate Bill [1345](#) that requires the Board of Education to amend its regulations to require any individual licensed and endorsed to teach (i) middle school civics or economics or (ii) high school government or history who is seeking renewal of such license to demonstrate knowledge of Virginia history or state and local government by completing a module or professional development course specifically related to Virginia history or state and local government that has a value of five professional development points. This requirement is to be effective by July 1, 2014.

CHAPTER 726

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Board of Education shall amend its regulations to require any individual licensed and endorsed to teach (i) middle school civics or economics, or (ii) high school government or history who is seeking renewal of such license to demonstrate knowledge of Virginia history or state and local government by completing a module or professional development course specifically related to Virginia history or state and local government that has a value of five professional development points. This requirement shall apply for purposes of the individual's next or initial renewal occurring after July 1, 2014.*
2. That the Board of Education shall promulgate regulations to implement the provisions of this act to be effective by July 1, 2014.

Senate Bill [986](#) and House Bill [2028](#)

The 2013 Virginia General Assembly passed Senate Bill [986](#) and House Bill [2028](#) that amended Section 22.1-298.1 of the *Code of Virginia* to require every person seeking initial licensure or renewal of a license to provide evidence of completion of certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators. The Board shall provide a waiver for this requirement for any person with a disability whose disability prohibits such person from completing the certification or training. Senate Bill [986](#) and House Bill [2028](#) are identical.

The legislation, in part, passed by the 2013 General Assembly, to become effective July 1, 2013, is as follows:

CHAPTER 530

§ [22.1-298.1](#). Regulations governing licensure.

A. As used in this section:

"Alternate route to licensure" means a nontraditional route to teacher licensure available to individuals who meet the criteria specified in the regulations issued by the Board of Education.

"Licensure by reciprocity" means a process used to issue a license to an individual coming into Virginia from another state when that individual meets certain conditions specified in the Board of Education's regulations.

"Professional teacher's assessment" means those tests mandated for licensure as prescribed by the Board of Education.

"Provisional license" means a nonrenewable license issued by the Board of Education for a specified period of time, not to exceed three years, to an individual who may be employed by a school division in Virginia and who generally meets the requirements specified in the Board of Education's regulations for licensure, but who may need to take additional coursework or pass additional assessments to be fully licensed with a renewable license.

"Renewable license" means a license issued by the Board of Education for five years to an individual who meets the requirements specified in the Board of Education's regulations.

B. The Board of Education shall prescribe, by regulation, the requirements for the licensure of teachers and other school personnel required to hold a license. Such regulations shall include requirements for the denial, suspension, cancellation, revocation, and reinstatement of licensure. The Board of Education shall revoke the license of any person for whom it has received a notice of dismissal or

resignation pursuant to subsection F of § [22.1-313](#) and, in the case of a person who is the subject of a founded complaint of child abuse or neglect, after all rights to any appeal provided by § [63.2-1526](#) have been exhausted. Regardless of the authority of any other agency of the Commonwealth to approve educational programs, only the Board of Education shall have the authority to license teachers to be regularly employed by school boards, including those teachers employed to provide nursing education.

The Board of Education shall prescribe by regulation the licensure requirements for teachers who teach only online courses, as defined in § [22.1-212.23](#). Such license shall be valid only for teaching online courses. Teachers who hold a five-year renewable license issued by the Board of Education may teach online courses for which they are properly endorsed.

Notwithstanding the provisions of this section and the Board's authority to license teachers, local school boards shall be authorized to issue valid, three-year local eligibility licenses pursuant to § [22.1-299.3](#).

C. The Board of Education's regulations shall include requirements that a person seeking initial licensure:

1. Complete professional assessments as prescribed by the Board of Education;
2. Complete study in attention deficit disorder;
3. Complete study in gifted education, including the use of multiple criteria to identify gifted students; and
4. Complete study in methods of improving communication between schools and families and ways of increasing family involvement in student learning at home and at school.

D. In addition, such regulations shall include requirements that:

1. Every person seeking initial licensure or renewal of a license demonstrate proficiency in the use of educational technology for instruction;
2. Every person seeking initial licensure and persons seeking licensure renewal as teachers who have not completed such study shall 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;
3. Every person seeking initial licensure or renewal of a license shall receive professional development 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; ~~and~~
4. *Every person seeking initial licensure or renewal of a license shall provide evidence of completion of certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators. The certification or training program shall be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross. The Board shall provide a waiver for this requirement for any person with a disability whose disability prohibits such person from completing the certification or training; and*
- 4-5. Every person seeking licensure with an endorsement as a teacher of the blind and visually impaired shall demonstrate proficiency in reading and writing Braille.

E. The Board's regulations shall require that initial licensure for principals and assistant principals be contingent upon passage of an assessment as prescribed by the Board.

F. The Board shall establish criteria in its regulations to effectuate the substitution of experiential

learning for coursework for those persons seeking initial licensure through an alternate route as defined in Board regulations.

G. 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 the requirements of this section or any other requirement for licensure imposed by law.

H. The Board's licensure regulations shall also provide for licensure by reciprocity:

1. With comparable endorsement areas for those individuals holding a valid out-of-state teaching license and national certification from the National Board for Professional Teaching Standards or a nationally recognized certification program approved by the Board of Education. The application for such individuals shall require evidence of such valid licensure and national certification and shall not require official student transcripts;

2. For individuals who have obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for a Virginia license is received by the Department of Education. The individual must establish a file in the Department of Education by submitting a complete application packet, which shall include official student transcripts. An assessment of basic skills as provided in § [22.1-298.2](#) and service requirements shall not be imposed for these licensed individuals; however, other licensing assessments, as prescribed by the Board of Education, shall be required; and

3. The Board may include other provisions for reciprocity in its regulations....

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 approved the proposed amendments to the Licensure Regulations for School Personnel (Exempt Action) on June 27, 2013.

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.