



**WEST VIRGINIA
SECRETARY OF STATE**

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

**FORM 5 -- NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR
A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY **Education**

RULE TYPE **Legislative Exempt** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **126-**

RULE NAME **Alternative Certification Programs for the Education of Teachers (Policy 5901)** **161**

CITE AUTHORITY **W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)**

RULE IS LEGISLATIVE EXEMPT

Yes

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE EFFECTIVE DATE OF THIS RULE IS

Monday, April 10, 2017

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 126-161



Rule Id: 10375



Document: 48254

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TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION

SERIES 161
ALTERNATIVE CERTIFICATION PROGRAMS
FOR THE EDUCATION OF TEACHERS (5901)

§126-161-1. General.

1.1. Scope. This legislative rule creates a process for the development of alternative programs for the education of teachers to be created through which qualified persons will become licensed teachers in West Virginia.

1.2. Authority. West Virginia Constitution, Article XII, §2 and W. Va. Code §18A-3-1a, §18A-3-1b, §18A-3-1c, §18A-3-1d, §18A-3-1e, §18A-3-1f, §18A-3-1g, §18A-3-1h, and §18A-3-1i.

1.3. Filing Date. – March 9, 2017

1.4. Effective Date. – April 10, 2017

1.5. Repeal of former rule. This legislative rule amends W. Va. 126CSR161, West Virginia Board of Education Policy 5901, “Alternative Program for the Education of Teachers,” filed September 10, 2015 and effective October 13, 2015.

§126-161-2. Purpose.

2.1. The purpose of this policy is to create an alternative means for a qualified person to earn a professional teaching certificate by authorizing a school or school district to offer a rigorous alternative program for teacher certification in partnership with a regionally accredited higher education institution, an entity affiliated with a regionally accredited higher education institution, the West Virginia Department of Education (WVDE) or a regional education service agency (RESA), all under the supervision of the West Virginia Board of Education (WVBE).

§126-161-3. Definitions.

3.1. Definitions. The following terms have the meanings ascribed to them, unless the context in which a term is used clearly requires a different meaning:

3.1.a. Accredited Institution of Higher Education (IHE) is a college or university accredited by one of the regional accrediting agencies recognized by the Council for Higher Education Accreditation (CHEA), OR by one of the National Faith-Related Accrediting Organizations recognized by CHEA and the United States Department of Education, OR by the Accrediting Council for Independent Colleges and Schools, to award degrees at a stipulated level, i.e., bachelor’s degree, master’s degree, and/or doctorate.

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3.1.b. Alternative certification program review is the process adopted by the WVBE to review and recommend for approval all proposals for alternative certification educator preparation programs leading to licensure to work in the public schools of West Virginia. The Alternative Certification Educator Preparation Program Review Board (ACEPPRB) will review all proposals for alternative certification programs in accordance with §126-161-7 of this policy. Proposals approved will meet or exceed requirements for alternative certification programs for the education of teachers as set forth in W. Va. Code §18A-3-1a through §18A-3-1i.

3.1.b.1. Alternative Certification Educator Preparation Program Review Board (ACEPPRB). The WVBE has created the ACEPPRB to make recommendations to the WVBE regarding program approval of initial, continuing, and probationary status of alternative certification programs for the education of teachers.

3.1.c. Alternative certification program is a program for teacher education that is offered as an alternative to the traditional college or university programs for the education of teachers;

3.1.d. Alternative certification program teacher is an individual who holds an alternative program teacher certificate and who is enrolled and participates in WVBE approved alternative program for the education of teachers;

3.1.e. Alternative program teacher certificate is a teaching certificate issued by the State Superintendent of Schools that authorizes a person to teach while enrolled and participating in a WVBE-approved alternative certification program for the education of teachers. An alternative program teacher certificate is the same as a professional teaching certificate for the purpose of issuing a continuing contract. The alternative program teacher certificate is issued initially for one year and can be renewed twice for a total of three years. Renewal of the alternative program teacher's certificate is subject to the following:

3.1.e.1. the teacher to whom it is issued shows satisfactory progress in the alternative program for the education of teachers; AND

3.1.e.2. the teacher to whom it is issued remains enrolled in and actively participates in a WVBE-approved alternative program for the education of teachers; AND

3.1.e.3. the teacher to whom it is issued remains employed in the critical need and shortage position for which he/she was hired in a school that is part of a partnership of a WVBE-approved alternative program for the education of teachers.

3.1.e.4. the teacher to whom it is issued receives satisfactory evaluations pursuant to W. Va. Code §18A-2-12 and has the recommendation of the county superintendent.

3.1.e.5. in the event that the alternative program teacher certificate needs to be renewed and the individual has been released from the qualifying vacancy due to a reduction in force, the alternative teaching certificate may be renewed only if the individual is employed in an area of critical need and shortage that is for the same endorsement and programmatic levels received on the initial alternative teaching certificate in order to continue the program.

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3.1.f. Approved alternative education program provider describes a partnership as described in W. Va. Code §18A-3-1b that the WVBE has approved to provide an alternative program for the education of teachers;

3.1.g. Approved alternative education program is a program for the education of teachers that is separate and different from traditional programs for teachers and has been approved by the WVBE in accordance with W. Va. Code §18A-3-1e;

3.1.h. Area of critical need and shortage is a West Virginia school district-posted teaching position that has been posted at least two times, or for a ten-day period, and for which no fully-certified person has applied pursuant to W. Va. Code §18A-4-7a.

3.1.i. Entity affiliated with an IHE is one member of a partnership of a WVBE-approved alternative certification program for the education of teachers that is neither a West Virginia school or school district, the WVDE, nor a regional education service agency, but has an official agreement or contract with a regionally accredited institution of higher education that has an accredited program for the education of professional educators that has been approved by the State Board, that provides for responsibilities including, but not limited to, recruitment, support, supervision, and mentoring of the alternative program teachers who are enrolled in its program.

3.1.j. Partnership is a school district(s) in combination with any of the following: an institution of higher education, an entity affiliated with an institution of higher education, the West Virginia Department of Education, or a Regional Education Service Agency (RESA) and formed pursuant to W. Va. Code §18A-3-1b to provide an alternative program for the education of teachers;

3.1.k. Partnership agreement is a memorandum of understanding (MOU) or an agreement adopted by a partnership pursuant to W. Va. Code §18A-3-1b;

3.1.l. Professional support team is the group of professional educators that an approved alternative education program provider has selected to train, support, supervise and mentor alternative program teachers.

§126-161-4. Alternative Program Partnerships; Partnership Agreements.

4.1. All WVBE-approved alternative program partnerships are formed pursuant W. Va. Code §18A-3-1b(c). In addition to one or more West Virginia schools or school districts, a partnership shall also include one or more of the following:

4.1.a. a regionally accredited institution of higher education (IHE) with a program for the education of professional educators that has been approved by the WVBE;

4.1.b. an entity affiliated with a regionally accredited institution of higher education (IHE) that has a WVBE-approved program for the education of professional educators;

4.1.c. the West Virginia Department of Education; OR

4.1.d. a regional education service agency (RESA).

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4.2. Partnership agreement contents. A partnership shall adopt written partnership agreements that govern how the partnership will conduct its alternative program for the education of teachers. An agreement will identify the rights, roles, and responsibilities of each partner, and at a minimum, the partnership agreement(s) shall also include the following:

4.2.a. procedures for determining whether a person is eligible to enroll in a WVBE-approved alternative certification program; AND

4.2.b. a requirement that a vacancy must be advertised at least twice (ten working days) pursuant to W. Va. Code §18A-3-1a, and if no certified teacher applies, only then will the partnership consider accepting a candidate in the alternative program for the education of teachers; AND

4.2.c. procedures and criteria for making a formal offer of employment to the candidate who is eligible to enroll in the alternative program for the education of teachers and who has applied for the posted position; AND

4.2.d. a detailed list, with descriptions of the categories, methods, and sources of instruction that the alternative program will provide; AND

4.2.e. a detailed description of the academic and performance standards that the alternative program teacher shall satisfy in order to receive the partnership's recommendation that the State Superintendent issue to him/her a professional teaching certificate; AND

4.2.f. procedures for selecting and training the professional support team, pursuant to W. Va. Code §18A-3-1c, who will instruct, mentor, and/or supervise the alternative program teacher(s); AND

4.2.g. provisions for determining tuition or other charges, if any, relating to an alternative program for the education of teachers pursuant to W. Va. Code §18A-3-1c; AND

4.2.h. a requirement, subject to the provisions of W. Va. Code §18A-3-1f that the hiring authority for any school or school district that hires an alternative program teacher will renew the alternative program teacher's contract from year to year as long as he/she makes satisfactory progress in the alternative education program and until he/she completes the alternative program for the education of teachers; AND

4.2.i. a detailed description of on-the-job training and supervision the alternative program will provide;

4.2.j. any other provisions that the partners consider necessary or helpful to ensure that the alternative program operates in accordance with this policy.

§126-161-5. Alternative Program Instruction; Methods of Instruction.

5.1. Instruction requirements for preparing general education content teachers in a WVBE-approved alternative program for the education of teachers shall provide, at a minimum, the following:

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5.1.a. six semester credit hours of instruction to include, but not be limited to, the following: student assessment, development and learning, curriculum, classroom management, use of educational computers and other technology, special education and diversity, and school law. If the alternative program teacher will be teaching children in elementary school, he/she must also receive instruction in early literacy; OR

5.1.b. six or more WVDE-approved staff development hours of instruction in each of the following topics: student assessment, development and learning, curriculum, classroom management, use of educational computers and other technology, special education and diversity and school law. If the alternative program teacher will be teaching children in elementary school, he/she must also receive instruction in early literacy. The staff development may be done in coordination with the West Virginia Center for Professional Development.

5.2. Instruction requirements for highly qualified special education teachers (applicable to certified teachers who have at least a bachelor's degree from a program for the preparation of teachers from a regionally accredited institution of higher education seeking a special education endorsement as described in §18A-3-1g) and preparing highly qualified special education teachers (individuals who are not currently certified seeking a special education endorsement as described in §18A-3-1h) in a WVBE-approved alternative program for the education of teachers shall include, but not be limited to, the following:

5.2.a. six semester credit hours of instruction to include, but not be limited to, the following: student assessment, development and learning, curriculum, classroom management, use of educational computers and other technology, special education and diversity and school law and Individuals with Disabilities Education Act (IDEA). If the alternative program teacher will be teaching children in elementary school, he/she must also receive instruction in early literacy; OR

5.2.b. six or more WVDE-approved staff development hours of instruction in each of the following: student assessment, development and learning, curriculum, classroom management, use of educational computers and other technology, special education and diversity, and school law and IDEA. If the alternative program teacher will be teaching children in elementary school, he/she must also receive instruction in early literacy. The staff development may be done in coordination with the West Virginia Center for Professional Development; AND

5.2.c. Additional instruction shall include the skills necessary for the delivery of instructional services to students with disabilities. Programs shall also contain instruction focused on developing Individualized Education Plans (IEP) with WVBE content standards and objectives, differentiated instruction, school and IDEA law, and behavioral interventions and supports, and preparation necessary to help the alternative program teacher meet the proficiency score(s) on the appropriate state competency exam(s) in special education content and the state competency exam(s) in pedagogy.

5.2.d. Alternative Programs for the Deaf and Hard of Hearing endorsement shall include additional instruction in the following topics: auditory habilitation, language development and intervention across the curriculum, curriculum methods for deaf and hard of hearing, development and remediation of reading, writing and discourse for the deaf and hard of hearing, human growth and development emphasizing knowledge of the developmental characteristics (language, physical, biological, learning, social and emotional) for deaf and hard of hearing students, administration and interpretation

of assessments to determine the individualized needs of the deaf and hard of hearing, an introduction to exceptional children including children with multiple disabilities, and American sign language.

5.2.e. Alternative Programs for the Visual Impairment endorsement shall include additional instruction in the following topics: Normal development, anatomy and physiology, basic terminology, and structure and function of the human visual system which includes the eye and brain structures related to vision; potential effects of a visual impairment on development and learning in sensory/motor development, vocational/transitional skills development, communication and social skills; diseases and disorders of the human visual system, common eye and other visual disorders, possible effects of medications, and their implications in the home, classroom, and other learning environments including cortical visual impairment (CVI) and how it affects a student's functioning in the classroom and in the community; design of instructional goals and objectives that integrate the Expanded Core Curriculum with the state standards; awareness of low, middle, and high tech devices that meet the accessibility needs of learners who are visually impaired, including learners with additional disabilities; the importance and basic awareness of orientation and mobility instruction for learners with visual impairments; instruction of learners with low vision on appropriate use of optical and non-optical devices and proficiency in the reading and writing alphabetic and fully contracted braille code both UEB and Nemeth and methods of instructional strategies for teaching reading and math; The impact of combined vision and hearing impairment on development and learning including cognition, language, and motor skills; basic proficiency in conducting appropriate functional vision assessments and learning media assessment and the interpretation of visual functioning information to determine appropriate options and learning media (e.g., specialized materials, equipment, and/or methods) for accessing instructional programs based on individual age, setting, and present levels of developmental and/or academic functioning.

5.2.f. Alternative Programs for the Autism endorsement shall include additional instruction in the following topics: historical overview and evolution of the diagnosis with major changes beginning with the diagnostic and statistical manual of mental disorders (fifth edition) resulting in "Autism Spectrum Disorder" diagnosis; definition, characteristics, and common comorbidities; eligibility criteria relating to deficits in social communication and social interaction with restricted repetitive and stereotyped patterns of behavior; an introduction to children with exceptionalities; typical development versus atypical development relating to autism spectrum disorder focusing on physical issues (gross motor, fine motor, system dysregulations, and autoimmune issues), neurological aspects (parts of the brain and auditory/visual/sensory processing issues); developmental delays and early intervention; therapies (speech, language, occupational, and behavior); administration and interpretation of assessments to determine the individualized needs of students with autism; Tier I, II, and III behavior supports and interventions; appropriate educational modifications and accommodations; instructional strategies and supports; and transition supports and services.

5.3. Participation in an alternative education program pursuant to this section may not affect any rights, privileges or benefits to which the participant otherwise would be entitled as a regular employee and may not alter any rights, privileges or benefits of participants on continuing contract status.

5.4. Methods of instruction. A WVBE-approved alternative program for the education of teachers may provide instruction through nontraditional methods including, but not limited to, methods such as a series of modules covering the various topics, electronically delivered instruction, summer sessions, WVDE-approved professional development and job-embedded mentoring.

5.5. Training and/or testing of instructors of lab based/experiential settings/courses. A WVDE-approved training/course(s) that includes but is not limited to the following topics: student and

staff safety, lab safety, lab management, and instructional procedures for the lab setting. Program participants may be required to pass a WVDE approved assessment to demonstrate proficient knowledge and skills to safely and adequately teach in a lab setting. For Driver Education, program participants must also meet the requirements identified in W. Va. 126CSR136, WVBE Policy 5202, Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (Policy 5202), subsections 2-6 of section 21.1.c.

§126-161-6. The Professional Support Team.

6.1. Professional Support Team. A WVBE-approved alternative program for the education of teachers shall provide a professional support team whose structure is consistent with the induction model that the partnership's participating school or schools follow for supporting, supervising, inducting, and mentoring a beginning teacher, as described in the district's plan of Support for Improving Professional Practice (WV SIPP) pursuant to W. Va. Code §18A-3C-3;

6.1.a. The professional support team may be trained by and in coordination with the West Virginia Center for Professional Development;

6.2. The Professional Support Team. The district superintendent, or his/her designee, of an approved education provider in a WVBE-approved alternative program for the education of teachers shall upon request by the WVDE make available the following required documentation/evidence of a teacher's participation in a WVBE-approved alternative program for the education of teachers:

6.2.a. team members and evidence of training of the professional support team;

6.2.b. copies of notes for monthly meetings of the professional support team;

6.2.c. copies of weekly observation notes for each alternative program teacher reflecting the supervisory activities (observations, reflection meetings, etc.) team members completed with the alternative program teacher during the teacher's first semester of his/her first year in the alternative certification program;

6.2.d. copies of bi-weekly observation notes for each alternative program teacher reflecting the supervisory activities of the team members during the second semester of the teacher's first year in the alternative certification program;

6.2.e. copies of any other documentation the Professional Support Team may have in regard to each teacher's progress in the alternative program;

6.2.f. at the conclusion of a teacher's participation in the alternative program, a copy of the alternative program teacher's final evaluation recommendation.

6.3. Evaluations of teachers in an alternative program for the education of teachers. The professional support team shall provide written evaluation reports of each alternative program teacher and submit copies of each report to the alternative program provider prior to the first day of the final full month of the school year in the teachers' first year of participation in the program. Pursuant to section §126-161-8.1.i. of this policy, evaluations shall be conducted at designated times throughout each teacher's first year participating in the alternative program, and at a minimum, every six to eight weeks, at the discretion of the professional support team and in collaboration with the school principal.

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Evaluation reports shall be submitted to WVDE using a form designed by the alternative program provider and approved by the principal. Progress evaluations shall also meet the following criteria:

6.3.a. Each evaluation report shall describe an alternative program teacher's progress toward meeting the alternative program's academic and performance standards, in accordance with §126-161-8.1.p. and including the results of the performance assessments as described in §126-161-8 of this policy; AND

6.3.b. At the conclusion of an approved alternative program for the education of teachers, the approved education provider shall prepare a comprehensive evaluation report on the alternative program teacher's performance using the following as guidance:

6.3.b.1. A comprehensive evaluation report, submitted to the State Superintendent of Schools, shall contain a recommendation regarding professional licensure of the alternative program teacher. The State Superintendent of Schools shall develop standard forms for this report, and the report shall be made on one or more of the State Superintendent's forms. The recommendation shall include the signature of the principal, the district superintendent, and at least one other member of the Professional Support Team;

6.3.c. All final decisions on the progress of an alternative program teacher shall rest with the principal.

§126-161-7. Alternative Certification Educator Preparation Program Review Board (ACEPPRB).

7.1. Alternative Certification Educator Preparation Program Review Board (ACEPPRB) Purpose. The WVBE has created the ACEPPRB to make recommendations to the WVBE regarding initial and continuing alternative certification educator preparation program approval.

7.2. ACEPPRB Composition. The ACEPPRB shall be comprised of eight members selected from a pool of trained educators; two members shall represent higher education (one representative appointed by the West Virginia Higher Education Policy Commission and one representative appointed by the West Virginia Independent Colleges and Universities); three members (one who was alternatively prepared) shall represent public education, one at each programmatic level for elementary, middle school and high school, appointed by the WVBE; one district/central office representative, also appointed by the WVBE; one principal appointed by the Cabinet Secretary for the Department of Education and the Arts; and one representative from the West Virginia Commission for Professional Teaching Standards (WVCPTS) appointed by its chairperson. The terms of the ACEPPRB members shall be for three years. An ACEPPRB member must exempt himself/herself from deliberations and actions related to the status of an alternative certification program's approval if he/she is an employee of any member of the partnerships that have a proposal under the committee's review. ACEPPRB members may not be appointed to serve more than two consecutive terms.

7.3. ACEPPRB Functions. The primary functions of the ACEPPRB are to review documents and alternative certification program proposals submitted by partnerships requesting program approval for new and/or revised alternative certification educator preparation programs that lead to licensure to work in the public schools of West Virginia.

7.4. ACEPPRB Procedures. An ACEPPRB member must exempt himself/herself from deliberations and actions related to the status of a program's proposal if he/she is a current employee of any member of the partnership making the proposal. The ACEPPRB shall meet at least once each academic semester,

including summer, unless no materials have been submitted to it for review. Upon review of a proposed alternative certification program, the ACEPPRB will write and submit a report to the WVBE. If the ACEPPRB determines and verifies in its written report that a proposed alternative certification program for the education of teachers has serious weaknesses, the ACEPPRB may recommend that the WVBE not grant approval. The following shall guide the recommendation process and written review of the ACEPPRB:

7.4.a. The ACEPPRB may recommend to the WVBE to approve a partnership's application proposal to operate an alternative program for the education of teachers if the proposed program, in all material respects, complies or will comply with all components of an alternative certification program as set forth in this Policy; OR

7.4.b. The ACEPPRB may recommend to the WVBE to approve a partnership's application proposal to operate an alternative program to prepare highly qualified special education teachers if the proposed program, in all material respects, complies or will comply with all components of an alternative certification program as set forth in this policy; OR

7.4.c. The ACEPPRB may recommend to the WVBE to approve a partnership's application to operate an alternative program for highly qualified special education teachers if the proposed alternative program, in all material respects, complies or will comply with all components of an alternative certification program as set forth in this policy.

7.5. All alternative certification program proposals shall be reviewed by the ACEPPRB in accordance with this policy.

§126-161-8. Components of an Alternative Certification Program Proposal.

8.1. In addition to the requirements described in sections 4, 5, and 6 of this policy and the guidelines described in section 7 of this policy, a proposal for an alternative program for the education of teachers must include, at a minimum, each of the following components in order to be considered for approval:

8.1.a. the name of the Alternative Certification Program being proposed; AND

8.1.a.1. a brief description of the program including the professional teacher licensure to which the program will lead: professional teacher licensure for general education teachers, special education teachers, Career and Technical Education teachers, elementary teachers, teachers of American Sign Language, or combination of these; AND

8.1.a.2. the grade levels and endorsements program completers will be issued in accordance with Policy 5202; AND

8.1.b. each partner that makes up the partnership of the alternative certification program being proposed; AND

8.1.b.1. a list of roles and responsibilities of each program partner, i.e., alternative program provider, program participant/teacher, school principal, district superintendent, IHE, etc.; AND

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8.1.b.2. a description of the method(s) used for selecting team members, and a list of members and their job titles that make up the Professional Support Team; AND

8.1.c. a detailed list of the academic and performance standards by which the alternative program teacher(s) will be evaluated, including, but not limited to performance assessments as described in the following:

8.1.c.1. a description of a minimum of three performance assessments that will be required of each program teacher during his/her first year in the alternative certification program, including copies of the rubrics that will be used for each assessment; AND

8.1.d. an orderly set of deadlines, forms, and guidance to govern each member in the partnership; AND

8.1.e. the process for recruiting persons to enroll in the alternative program; AND

8.1.f. a candidate's process for enrolling in an approved education provider's alternative program for the education of teachers, including when to apply to WVDE for an alternative program teacher certificate; AND

8.1.g. procedures for developing the partnership agreement(s) and copies of each partnership agreement; AND

8.1.h. procedures and criteria for determining eligibility of candidates pursuant to W. Va. Code §18A-3-1f. To enroll in the alternative program for the education of teachers; eligibility criteria must include, but not be limited to, the following:

8.1.h.1. Possess a minimum of a bachelor's degree from a regionally accredited institution of higher education; AND

8.1.h.2. Pass the same basic skills and subject matter test or tests required by the WVBE for traditional program candidates to become certified in the content area for which he/she is seeking licensure:

8.1.h.2.A. Prior to being hired at the district level as an alternative program participant, program candidates in a general education teaching path of a WVBE-approved program for alternative certification must submit to WVDE and to the alternative program provider passing scores on pre-professional skills test or tests or evidence of a qualifying exemption as described in Policy 5202, and passing scores on the subject matter test or tests required by the WVBE. At the conclusion of the WVBE-approved alternative certification program for the education of teachers, teachers in the general education teaching path shall be required to meet the proficiency score (s) on the appropriate state competency exam(s) in pedagogy. All WVBE-required tests described here are identified in the West Virginia Licensure Testing Directory on the WVDE website.

8.1.h.2.B. Prior to being hired at the district level as an alternative program participant, program candidates in the special education teaching path of a WVBE-approved program for alternative certification to prepare highly qualified special education teachers must submit to WVDE and to the alternative program provider passing scores on WVBE-approved pre-professional skills test or tests, or evidence of a qualifying exemption as described in Policy 5202. At the conclusion of

the alternative certification program teachers in the special education teaching path completing a WVBE-approved alternative certification program to prepare highly qualified special education teachers shall be required to meet the proficiency score(s) on the appropriate state competency exam(s) in special education content and the state competency exam(s) in pedagogy as identified in the West Virginia Licensure Testing Directory on the WVDE website.

8.1.h.3. Eligibility for alternative program certificate: American Sign Language.

If a person seeks certification to teach American Sign Language, in addition to other eligibility requirements as described in this Policy, he/she shall pass one or more appropriate WVBE approved tests demonstrating his/her proficiency in American Sign Language; AND

8.1.h.4. hold United States citizenship; AND

8.1.h.5. be of good moral character; AND

8.1.h.6. be physically, mentally, and emotionally qualified to perform the duties of a teacher; AND

8.1.h.7. attain the age of eighteen years on or before October 1 of the year in which the alternative program teacher certificate is issued; AND

8.1.h.8. receive a formal offer of employment from a county superintendent in an area of critical need and shortage and by a school or school district that is a member of an approved educational provider; AND

8.1.h.9. possess either transcripts reflecting an academic major or appropriate documentation of occupational qualifications the same as or similar to the subject matter which the alternative program candidate is being hired to teach; AND

8.1.h.10. qualify for employment in the public schools of West Virginia after a criminal history check is made pursuant to W. Va. Code §18A-3-10; AND

8.1.h.11. meet other requirements for teacher licensure pursuant to Policy 5202 and W. Va. Code §18A-3-1; AND

8.1.i. standards for how often and what lengths of time an alternative program teacher must be observed and must observe in the classroom of a mentor or other experienced teacher(s); AND

8.1.j. guidelines for determining what tuition or other charges an approved education provider may impose relating to an alternative program for the education of teachers in accordance with W. Va. Code §18A-3-1c and the following:

8.1.j.1. A partnership may not charge tuition or impose any other charge for the participation in an alternative program for the education of teachers, *unless* the tuition or other charge is necessary to offset the partnership's cost of providing the alternative program for the education of teachers; and *provided*:

8.1.j.1.A. a partner that is a regionally accredited institution of higher education with a WVBE-approved program for the education of teachers may charge tuition for academic

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credit that an alternative teacher receives while enrolled in the alternative program for the education of teachers, *provided*:

8.1.j.1.B. the regionally accredited institution of higher education is the entity that grants the academic credit; AND

8.1.j.1.C. the charge does not exceed the per-credit rate charged for students enrolled in its standard program for the education of professional educators; AND

8.1.k. a process for alternative program participants to apply for and obtain their alternative program teaching certificate; AND

8.1.l. a sample of each form to be used by members of the Professional Support Team when observing, modeling strategies, videoing instruction, evaluating, etc., the alternative program teacher(s), and any other forms the team may use; AND

8.1.m. a detailed list of course descriptions and/or staff development and the delivery methods for the required instruction as listed in section §126-161-5 of this policy; AND

8.1.n. a calendar or schedule of events for the alternative program including, but not limited to, when and how instruction is delivered, who delivers the instruction, due dates for program reports and evaluations, expected time for program completers to finish, etc.; AND

8.1.o. a list of guidelines and/or plans for preparing the alternative program teacher to pass his/her state-approved and required competency exam(s) for teaching; AND

8.1.p. standards for evaluation of the alternative program teacher as set forth in §126-161-6 and §126-161-9 of this policy; AND

8.1.q. processes and/or procedures for communicating the final evaluation and recommendation of the alternative program teacher to the State Superintendent of Schools, including ensuring the alternative program teacher understands his/her right to appeal and the appeal process; AND

8.1.r. assurances of compliance with all sections of this policy.

§126-161-9. WVBE Approval for Alternative Certification Program Proposals.

9.1. Request for Program Approval. A partnership shall make written notification to the WVBE of its intent to become an alternative certification program provider at least sixty days prior to the ACEPPRB's scheduled meeting.

9.1.a. A second written notification from the partnership shall be submitted at least thirty days prior to the ACEPPRB's scheduled meeting.

9.1.a.1. All program proposals must be complete when received;

9.1.a.2. Incomplete proposals will not be reviewed or returned to the submitting partnership.

9.2. Upon recommendation from the ACEPPRB, the WVBE may grant approval of alternative certification programs as follows:

9.3. Initial Approval Status. The WVBE, upon recommendation of ACEPPRB, may classify the status of an alternative certification program provider as follows: *Initial Approval Status*, *Continuing Approval Status*, and *Probationary Approval Status*:

9.3.a. Initial Approval Status. Following a review and recommendation by the ACEPPRB, the WVBE may grant *initial approval* to a new or revised alternative certification program provider. *Initial Approval Status* may be granted by the WVBE for a period of up to five years. The alternative certification program provider will be required to document its progress and ensure the success of its graduates to promote student achievement in the public schools in West Virginia. During the *initial approval* status, the alternative certification program provider may make recommendations for licensure of those who successfully complete its program.

9.3.a.1. All revisions for a WVBE-approved alternative certification program must be submitted to the ACEPPRB in writing following the same process as described in section §126-161-9.1 of this policy for an initial program proposal.

9.3.b. Continuing Approval Status. Following a review and recommendation by the ACEPPRB, the WVBE may grant *Continuing Approval Status* to those alternative certification program providers who have documented success with its program completers. Success is measured in the retention of the number of program completers and their impact on student achievement as documented through the West Virginia Educator's Evaluation System. For an approved program to remain on the *Continuing Approval Status*, a program review will take place on a 7-year cycle.

9.3.c. Probationary Approval Status. Following a review and recommendation by the ACEPPRB, the WVBE may assign *Probationary Approval Status* to alternative certification program providers that fail to document adequate progress and/or success with program participants and completers.

§126-161-10. Comprehensive Evaluation, Recommendation for Licensure and Rights of the Alternative Program Teacher.

10.1. At the conclusion of an approved alternative program for the education of teachers, the approved education provider shall prepare a comprehensive evaluation report on the alternative program teacher's performance using the following as guidance:

10.1.a. A comprehensive evaluation report, submitted to the State Superintendent of Schools, shall contain a recommendation regarding professional licensure of the alternative program teacher. The State Superintendent of Schools shall develop standard forms for this report, and the report shall be made on one or more of the State Superintendent's forms;

10.1.a.1. Recommendations. The comprehensive evaluation report shall include one of the following recommendations:

10.1.a.1.A. Approved: Recommends issuance of a professional teaching

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certificate to include the name of the teacher and the endorsement(s) and grade levels for licensure as listed in Appendix A of Policy 5202; OR

10.1.a.1.B. Insufficient: Recommends that a professional teaching certificate not be issued but that the candidate be allowed to seek reentry on one or more occasions in the future to an approved alternative program for the education of teachers; OR

10.1.a.1.C. Disapproved: Recommends the following:

10.1.a.1.C.1. a professional teaching certificate not be issued to the alternative program teacher; AND

10.1.a.1.C.2. the alternative program teacher will not be allowed to enter into another approved alternative program for the education of teachers in West Virginia; AND

10.1.a.1.C.3. the alternative program teacher will not be prohibited from pursuing teacher certification through a traditional route in other approved programs for the education of teachers in West Virginia.

10.2. Rights of the alternative program teacher. The approved education provider shall provide the alternative program teacher with a copy of the alternative program teacher's written evaluation report and recommendations *before* the approved education provider submits the report to the State Superintendent of Schools.

10.2.a. The alternative program teacher has the right to appeal the alternative certification program provider's recommendation, provided:

10.2.a.1. the written appeal is in accordance with the certification appeals process established by the WVBE; AND

10.2.a.2. the written appeal is submitted within fifteen days of the alternative certification program teacher's receipt of the alternative program provider's recommendation.

§126-161-11. Prohibited Acts.

11.1. A partnership may not implement an alternative program until the partnership's alternative program has been approved by the WVBE.

11.2. A school or school district may not employ, or make a formal offer of employment to any person for the purpose of his or her participation in an alternative certification program unless the alternative certification program is approved by the WVBE and the school or school district is a member of the partnership that is operating the alternative certification program.

11.3. A school or school district may not continue to employ an alternative program teacher unless he or she makes satisfactory progress in the alternative certification program for which he or she is enrolled.

§126-161-12. Contract renewals.

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12.1. A county board shall renew an alternative program teacher's contract from year to year as long as he/she makes satisfactory progress in the applicable alternative education program and until he or she completes the alternative certification program.

12.2. An alternative program teacher is subject to the same force reduction rules and procedures as any other employee, except those that relate to seniority. In no event will an alternative program teacher displace a professional educator as defined in W. Va. Code §18A-1-1.

§126-161-13. Severability.

13.1. If any provision of this rule or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this rule.

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Title 126
Legislative Rule
Board of Education

Series 161
Alternative Certification Programs for the Education of Teachers (5901)

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