



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL
RULE**

AGENCY: Education TITLE-SERIES: 126-161
RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: Regulations for Alternative Certification Programs
for the Education of Teachers (5901)
CITE STATUTORY 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); and, W. Va. Bd. of Educ. v. Bd. of
Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

August 14, 2023

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Stephanie Abraham -- 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.

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TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION

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

§126-161-1. General.

1.1. Scope. -- This legislative rule establishes a process for the development of alternative programs for the education of teachers through which qualified persons will become licensed teachers in West Virginia pursuant to W. Va. Code §§18A-3-1a through 18A-3-1j and the West Virginia Board of Education (WVBE) approval processes for officially recognizing pedagogical standards and programs pursuant to W. Va. Code §18A-3-2a(a)(1)(C).

1.2. Authority. -- W. Va. Constitution, Article XII, §2, and W. Va. Code §§18-2E-10, 18-20-10, 18A-3-1a, 18A-3-1b, 18A-3-1c, 18A-3-1d, 18A-3-1e, 18A-3-1f, 18A-3-1g, 18A-3-1h, 18A-3-1i, 18A-3-1j, and 18A-3-2a.

1.3. Filing Date. -- July 12, 2023.

1.4. Effective Date. -- August 14, 2023.

1.5. Repeal of Former Rule. -- This legislative rule amends W. Va. 126CSR161, Policy 5901, Regulations for Alternative Certification Programs for the Education of Teachers, filed September 9, 2021, and effective October 12, 2021.

§126-161-2. Purpose.

2.1. This policy creates an alternative means for a qualified person to earn a teaching certificate by authorizing a school or county board to offer a rigorous alternative program for teacher certification in partnership with a regionally accredited institution of higher education (IHE), an entity affiliated with a regionally accredited IHE, or the West Virginia Department of Education (WVDE), all under the supervision of the WVBE. Additional alternative programs to prepare teachers established or adopted solely by the WVBE are separate from the programs established under W. Va. Code §§18A-3-1b, 18A-3-1g, and 18A-3-1h, do not require any partner, are applicable only to persons who hold a bachelor's degree from an accredited IHE, and are subject to other provisions of W. Va. Code §§18A-3-1 through 18A-3-1i only to the extent specifically provided within section 12. WVBE approval processes for pedagogical standards and programs pursuant to W. Va. Code §18A-3-2a(a)(1)(C) which creates a third set of conditions by which a person may be issued a Professional Teaching Certificate for teaching in the public schools are provided and only subject to provisions as described in section 14.

§126-161-3. Summary.

3.1. W. Va. Code provides requirements for alternative programs for the education of teachers and other programs leading to acquisition of the Professional Teaching Certificate. This policy outlines the

responsibilities of the state, counties, partners, and other entities in meeting these requirements.

§126-161-4. Definitions.

4.1. Alternative Certification Education Preparation Program Review Board (ACEPPRB). Created to make recommendations to the WVBE regarding program approval of initial, continuing, and probationary status of alternative certification programs for the education of teachers.

4.2. Area of Critical Need and Shortage. A West Virginia county-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 and as described in W. Va. Code §§18A-3-1a through 18A-3-1i and sections 5 through 11.

4.2.a. Employment requirements for licensure and certifications acquired through programs approved in accordance with sections 12 and 14 may be separate from those of sections 5 through 11 and only applicable as identified within W. Va. 126CSR136, Policy 5202, Minimum Requirements for the Licensure of Professional/ Paraprofessional Personnel and Advanced Salary Classifications (Policy 5202).

4.3. Entity Affiliated with an IHE. 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 county, nor the WVDE, but has an official agreement or contract with a regionally accredited IHE that has an accredited program for the education of professional educators that has been approved by the WVBE, that provides for responsibilities such as recruitment, support, supervision, and mentoring of the alternative program teachers who are enrolled in the alternative certification program.

4.4. Institution of Higher Education (IHE). 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.

4.5. West Virginia Pedagogical Standards. As set forth in W. Va. 126CSR142, Policy 5310, Performance Evaluation of School Personnel, section 13, Teacher Evaluation Standards and Elements the West Virginia Professional Teaching Standards. This set of standards was adopted and are recognized by the WVBE as adequate pursuant to W. Va. Code §18A-3-2a(a)(1)(C).

§126-161-5. Procedures for Alternative Certification Programs for the Education of Teachers.

5.1. Alternative Program Partners and Partnership Agreements.

5.1.a. To meet areas of critical need and shortage within West Virginia counties, this policy creates an alternative means for a qualified person to earn a teaching certificate by completing a rigorous alternative program. WVBE-approved alternative certification program partnerships formed pursuant to the requirements of W. Va. Code §§18A-3-1a through 18A-3-1i are described in sections 5 through 11.

5.2. Necessary Partners. In addition to one or more West Virginia schools or counties, a partnership shall include one or more of the following:

5.2.a. a regionally accredited IHE with a program for the preparation of professional educators that has been approved by the WVBE.

5.2.b. an entity affiliated with a regionally accredited IHE that has a WVBE-approved program for the preparation of professional educators.

5.2.c. the WVDE.

5.3. Partnership Agreements.

5.3.a. A partnership shall adopt a written partnership agreement in accordance with W. Va. Code and this policy that governs 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. Partnership agreements must be included as part of these alternative certification program proposals.

5.3.b. Required Contents. At a minimum, a written partnership agreement shall include the following:

5.3.b.1. procedures and criteria for determining whether a person is eligible to enroll in a WVBE-approved alternative certification program.

5.3.b.2. a requirement that a vacancy must be advertised at least twice (10 working days) pursuant to W. Va. Code §18A-3-1b, and if no certified teacher applies, only then may the partnership consider accepting a candidate for enrollment into the alternative program.

5.3.b.3. 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. Individuals may not participate in an alternative program unless they hold an alternative teaching certificate. Upon receiving an alternative teaching certificate, an individual may enroll into the alternative certification program. The alternative program teacher must begin receiving the required instruction/training either simultaneously or before assuming the role of an educator.

5.3.b.4. a detailed list, with descriptions of the categories, methods, and sources of instruction that the alternative program will provide.

5.3.b.5. a description of the phases of on-the-job training and supervision that the alternative program will provide.

5.3.b.6. 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 of Schools (State Superintendent) issue a teaching certificate.

5.3.b.7. 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).

5.3.b.8. 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.

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5.3.b.9. a requirement, subject to the provisions of W. Va. Code §18A-3-1f, that the hiring authority for any school or county board that hires an alternative program teacher will renew the alternative program teacher's contract from year-to-year as long as the teacher makes satisfactory progress in the alternative education program and until the teacher completes the alternative program for the education of teachers.

5.3.b.10. any other provisions that the partners consider necessary or helpful to ensure that the alternative program operates in accordance with this policy.

§126-161-6. Required Components of an Alternative Certification Program Proposal.

6.1. Counties and necessary partners submitting an alternative certification program proposal for review and approval by the Alternative Certification Educator Preparation Program Review Board (ACEPPRB) and WVBE must include within the written proposal all required components described within section 6.2 and meet all requirements of the partnership agreement described within section 5.3. Partnership agreements must be included as part of these alternative certification program proposals.

6.2. In addition to requirements identified in section 5.3, a proposal for an alternative program for the education of teachers must include, at a minimum, each of the following components:

6.2.a. the name of the alternative certification program being proposed.

6.2.b. a brief description of the program including the professional teacher licensure to which the program will lead: provisional to professional teacher licensure for general education teachers, special education teachers, elementary teachers, teachers of American Sign Language (ASL), or combination of these.

6.2.c. the grade levels and endorsements program completers will be issued in accordance with Policy 5202.

6.2.d. each partner that makes up the partnership of the alternative certification program being proposed.

6.2.e. a list of roles and responsibilities of each program partner, i.e., alternative program provider, program participant/teacher, school principal, county superintendent, IHE, etc.

6.2.f. a description of the method(s) used for selecting team members, and a list of members and their job titles who make up the Professional Support Team.

6.2.g. 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 assessment rubrics with a description of a minimum of three performance assessments that will be required of each program teacher during the first year in the alternative certification program.

6.2.h. an orderly set of deadlines, forms, and guidance to govern each member in the partnership.

6.2.i. the process for recruiting persons to enroll in the alternative program.

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6.2.j. 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.

6.2.k. procedures for developing the partnership agreement(s) and copies of each partnership agreement.

6.2.l. procedures and criteria for determining eligibility of candidates pursuant to W. Va. Code and this policy.

6.2.m. 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).

6.2.n. guidelines for determining what tuition or other fees, if any, 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.

6.2.o. a process for alternative program participants to apply for and obtain their alternative program teaching certificate.

6.2.p. 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.

6.2.q. a detailed list of course descriptions and/or professional learning and the delivery methods for the instruction required by this policy.

6.2.r. a list of guidelines and/or plans for preparing the alternative program teacher to pass the state-approved and required competency exam(s) for teaching.

6.2.s. standards for evaluation of the alternative program teacher as set forth in this policy.

6.2.t. processes and/or procedures for communicating the final evaluation and recommendation of the alternative program teacher to the State Superintendent, including ensuring the alternative program teacher understands the right to appeal and the appeal process.

6.2.u. assurances of compliance with this policy.

§126-161-7. Candidate Eligibility.

7.1. Prior to being hired at the county level as an alternative certification program participant, candidates must apply for and attain an Alternative Teaching Certificate. Upon receiving an Alternative Teaching Certificate, candidates may enroll to participate in a WVBE-approved program for alternative certification.

7.2. Eligibility criteria for candidates to be issued an Alternative Teaching Certificate and enroll into alternative certification programs must include, but may not be limited to, the following:

7.2.a. State Minimum Candidate Eligibility Criteria.

7.2.a.1. Meet general requirements of Policy 5202, section 9.1.

7.2.a.2. Meet requirements of Policy 5202 for a criminal history record check.

7.2.a.3. Hold a minimum of a bachelor's degree from a regionally accredited IHE and meet requirements of grade point average aligned to Policy 5202 and the West Virginia Licensure Testing Directory found on the WVDE website.

7.2.a.4. Pass the WVBE-required basic skills exam(s) or qualify for an exemption of the exam(s).

7.2.a.5. Receive a formal offer of employment from the county board for a qualifying vacancy.

7.2.b. Additional Candidate Eligibility Criteria Required of Candidates for General Education Endorsements.

7.2.b.1. Possess relevant academic or occupational qualifications that reasonably indicate the person will be competent to fill the teaching position in which the candidate would be employed, as determined and approved by the county. To clarify, official 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 are required.

7.2.b.2. Pass the WVBE-required content exam(s) for the endorsement(s) or qualify for an exemption of the exam(s).

7.3. If a person seeks certification to teach ASL, in addition to other eligibility requirements for general education endorsements as described in this policy, the candidate shall pass one or more appropriate WVBE-approved tests demonstrating proficiency in ASL.

7.4. At the conclusion of the WVBE-approved alternative certification program, teachers in the general education teaching path shall be required to meet the proficiency score(s) on the appropriate state competency exam(s) in professional education.

7.5. At the conclusion of the alternative certification program teachers in the special education teaching path completing a WVBE-approved alternative certification program 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 professional education.

7.6. The employment date identified for a beginning alternative certification teacher applying for the Alternative Teaching Certificate must align with the qualifying job posting and be a future date. These employment dates shall not precede the date of application. Enrollment into WVBE-approved alternative certification programs for the education of teachers must not precede the effective date of the Alternative Teaching Certificate.

7.7. All WVBE-approved exams, assessments, and passing score requirements described in this policy are identified in Policy 5202 and the West Virginia Licensure Testing Directory found on the WVDE

website. If the state-approved program resulting from this policy requires successful completion of a nationally-normed teacher performance assessment, upon successful completion of the assessment participants may be exempt from the required professional education exam(s). The state-approved program provider sets the adopted teacher performance assessment's acceptable range for proficiency level and/or cut scores, unless the WVBE has established proficiency levels for the specific assessment(s) within the West Virginia Licensure Testing Directory found on the WVDE website.

§126-161-8. Alternative Program Instruction and the Professional Support Team.

8.1. Alternative Program Instruction General Education Content Teacher.

8.1.a. Instruction requirements for preparing general education content teachers in a WVBE-approved alternative program for the education of teachers shall include, but not be limited to, the following:

8.1.a.1. six or more semester credit hours or an equivalent number of staff development hours of instruction to include, but not be limited to, the following subjects: student assessment, development and learning, curriculum, classroom management, use of educational computers and other technology, special education, diversity, trauma-informed and social-emotional best practices, and school law. If the alternative program teacher will be teaching children in elementary school, the teacher must also receive instruction in early literacy.

8.1.b. General education alternative certification programs shall include additional training(s) and/or testing approved by the WVDE if the teacher's endorsement requires instruction in lab based/experiential settings. The additional training(s) and/or testing shall include, but is not limited to, 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 Policy 5202.

8.2. Alternative Program Instruction Special Education Teacher.

8.2.a. Instruction requirements for preparing 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 IHE seeking a special education endorsement as described in W. Va. Code §18A-3-1g) and preparing highly-qualified special education teachers (individuals who are not currently certified seeking a special education endorsement as described in W. Va. Code §18A-3-1h) in a WVBE-approved alternative program for the education of teachers shall include, but not be limited to, the following:

8.2.a.1. six or more semester credit hours or an equivalent number of staff development hours of instruction to include, but not be limited to, the following subjects: student assessment, development and learning, curriculum, classroom management, use of educational computers and other technology, special education, diversity, trauma-informed and social-emotional best practices, school law, and Individuals with Disabilities Education Act of 2004, Public Law 108-446 (IDEA). If the alternative program teacher will be teaching children in elementary school, the teacher must also receive instruction in early literacy.

8.2.b. Alternative certification programs for special education shall include additional instruction to provide the skills necessary for the delivery of instructional services to students with disabilities. Required instruction in alternative certification programs for special education shall include a focus on developing Individualized Education Programs (IEPs) with state-approved content standards, differentiated instruction, school and IDEA law, positive 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 professional education.

8.2.c. Special education endorsement specific requirements for additional instruction include the following:

8.2.c.1. alternative programs for the deaf and hard of hearing endorsement shall include additional instruction in 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 ASL.

8.2.c.2. alternative programs for the visual impairment endorsement shall include additional instruction in 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-approved content 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 Unified English Braille (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.

8.2.c.3. alternative programs for the autism endorsement shall include additional instruction in a 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.

8.3. Additional Required Topics of County-Provided Alternative Certification Program Instruction for Elementary Education.

8.3.a. Educator preparation programs preparing candidates seeking licensure for elementary education must provide training and instruction to:

8.3.a.1. include instruction in state-adopted grade-level content standards, foundational reading and mathematics skills, and how to implement reading instruction using high-quality instructional materials; and

8.3.a.2. provide effective instruction and intervention for students with reading and mathematics deficiencies, including students with characteristics of dyslexia or dyscalculia; and

8.3.a.3. understand and use student data to make instructional decisions.

8.3.b. Programs for specific learning disabilities, including dyslexia and dyscalculia, should ascribe to a common set of professional standards for the benefit of the students served. The basis of ascribing to common standards requires recognizing common characteristics of the disabilities. The International Dyslexia Association offers widely-adopted and consistent standards to guide the preparation, certification, and professional development for teachers of reading and related literacy skills in classroom, remedial, and clinical settings.

8.4. Methods of Instruction.

8.4.a. 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, professional learning, and job-embedded mentoring.

8.5. Professional Support Team.

8.5.a. 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(s) follow for supporting, supervising, inducting, and mentoring a beginning teacher, as described in the county's plan of Support for Improving Professional Practice (WV SIPP) pursuant to W. Va. Code §18A-3C-3.

8.5.b. The county superintendent, or designee, in a WVBE-approved alternative program for the education of teachers shall maintain the following required documentation/evidence of a teacher's participation:

8.5.b.1. team members and evidence of training of the professional support team.

8.5.b.2. copies of notes for monthly meetings of the professional support team.

8.5.b.3. 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 the first year in the alternative certification program.

8.5.b.4. 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.

8.5.b.5. copies of any other documentation the Professional Support Team may have in regard to each teacher's progress in the alternative program.

8.5.b.6. at the conclusion of a teacher's participation in the alternative program, a copy of the alternative program teacher's final evaluation recommendation.

8.5.c. 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 teacher's first year of participation in the program. Pursuant to 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) described within the alternative certification program's proposal, 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. Evaluation reports shall be submitted to WVDE using a form designed by the alternative program provider and approved by the principal.

8.5.c.1. Progress evaluations shall include the following:

8.5.c.1.A. each evaluation report shall describe the alternative program teacher's progress toward meeting the program's academic and performance standards, in accordance with the required comprehensive evaluation report, and including the results of the performance assessments as described in W. Va. Code §§18A-3-1b, 18A-3-1c, and 18A-3-1i.

8.5.c.1.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. This comprehensive evaluation report, submitted to the State Superintendent, shall contain a recommendation regarding licensure of the alternative program teacher. The State Superintendent 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 county superintendent, and at least one other member of the professional support team.

8.5.c.1.C. all final decisions on the progress of an alternative program teacher shall rest

with the principal.

§126-161-9. Alternative Certification Licensure, Comprehensive Evaluation, and Rights of the Teacher.

9.1. Alternative Certification Licensure.

9.1.a. The alternative program teacher certificate is issued initially for one year and can be renewed twice for a total of three years. The teacher applying for renewal must meet all the following each year:

9.1.a.1. show satisfactory progress in the alternative program for the education of teachers.

9.1.a.2. remain enrolled in and actively participates in a WVBE-approved alternative program for the education of teachers.

9.1.a.3. remain employed in the critical need and shortage position for which the teacher was hired in a school that is part of the partnership of a WVBE-approved alternative program for the education of teachers.

9.1.a.4. receive satisfactory evaluations pursuant to W. Va. Code §18A-2-12 and has the recommendation of the county superintendent.

9.1.b. 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.

9.1.c. Upon successful completion of all conversion requirements as listed in Policy 5202, an alternative teaching certificate may be converted to a provisional teaching certificate. The provisional teaching certificate is issued initially for one year and can be renewed twice for a total of three years. Upon successful completion of all conversion requirements as listed in Policy 5202, a provisional teaching certificate may be converted to a professional teaching certificate. Complete requirements for issuance of alternative certification licensure and professional licensure are detailed within Policy 5202.

9.2. Comprehensive Evaluation.

9.2.a. At the conclusion of an approved alternative program for the preparation of teachers, the approved education provider shall prepare and submit a comprehensive evaluation report to the State Superintendent on the alternative program teacher's performance, which includes a recommendation regarding provisional licensure of the alternative program teacher of approved, insufficient, or disapproved.

9.2.a.1. Approved recommends issuance of a provisional teaching 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.

9.2.a.2. Insufficient recommends that a provisional 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.

9.2.a.3. Disapproved recommends that a provisional teaching certificate not be issued to the alternative program teacher. The alternative program teacher will not be allowed to enter into another approved alternative program for the education of teachers in West Virginia, but it will not prohibit the alternative program teacher from pursuing teacher certification through a traditional route in other approved programs for the education of teachers in West Virginia.

9.2.b. The approved education provider shall provide, at the end of the program, 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. The alternative program teacher has the right to appeal the alternative certification program provider's recommendation, provided that the written appeal is in accordance with the certification appeals process established by the WVBE and is submitted within 15 days of the alternative certification program teacher's receipt of the alternative program provider's recommendation.

9.3. Rights of the Alternatively Certified Teacher.

9.3.a. An alternative program teacher certificate is the same as a professional teaching certificate for the purpose of issuing a continuing contract. Participation in an alternative education program pursuant to this policy shall 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.

§126-161-10. Alternative Certification Educator Preparation Program Review Board (ACEPPRB).

10.1. The WVBE has created the ACEPPRB to make recommendations to the WVBE regarding initial and continuing alternative certification educator preparation program approval.

10.2. ACEPPRB Composition.

10.2.a. The ACEPPRB shall be comprised of nine members selected from the following pool of trained educators:

10.2.a.1. one member representing higher education appointed by the West Virginia Higher Education Policy Commission.

10.2.a.2. one member representing higher education appointed by the West Virginia Independent Colleges and Universities.

10.2.a.3. three members including one who was alternatively certified, representing public education, one at each programmatic level for elementary, middle, and high school, appointed by the WVBE.

10.2.a.4. two county office representatives, appointed by the WVBE.

10.2.a.5. one principal appointed by the State Superintendent.

10.2.a.6. one representative from the West Virginia Commission for Professional Teaching Standards, appointed by its chairperson.

10.2.b. ACEPPRB members must recuse themselves from deliberations and actions related to the status of an alternative certification program's approval if they are currently employees of any entity involved in the proposal under the committee's review. ACEPPRB members are appointed to serve three-year terms and may choose to have their term renewed once (for an additional three years) to serve a total of two terms, not to exceed six consecutive years serving on the ACEPPRB.

10.3. ACEPPRB Functions.

10.3.a. The primary function of the ACEPPRB is 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 and submit their recommendations for approval to the WVBE.

10.4. ACEPPRB Procedures.

10.4.a. Alternative certification program proposals shall be reviewed by the ACEPPRB in accordance with this policy. 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.

10.4.b. The following shall guide the recommendation process and written review of the ACEPPRB:

10.4.b.1. 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

10.4.b.2. the ACEPPRB may recommend to the WVBE to approve a partnership's application 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

10.4.b.3. 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.

10.5. WVBE Approval of Alternative Certification Program.

10.5.a. Request to Become an Alternative Certification Program Provider and Alternative Certification Program Approval by the ACEPPRB.

10.5.a.1. A partnership shall make written notification to the WVBE of its intent to become an alternative certification program provider at least 60 days prior to the ACEPPRB's scheduled meeting. The official submission of written proposals for an alternative certification program from the partnership shall be received by the WVDE at least 45 days prior to the ACEPPRB's scheduled meeting. All written program proposals must be complete when received by the WVDE, including all required components of an alternative certification program proposal and the required partnership agreement described within section 5.3 and section 6. Incomplete proposals will not be processed or approved by the ACEPPRB. Exceptions to the timeframe for the official submission of written proposals for an alternative certification program may be made at the discretion of the WVDE.

10.6. Recommendation for Approval from the ACEPPRB to the WVBE.

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

10.6.a.1. 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 three school 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. Programs approved for Initial Approval Status by the WVBE prior to June 1, 2021, will remain on the status until the completion of the five-school-year period for which the program was originally approved. Programs officially recommended for Initial Approval Status by the ACEPPRB as a result of their Summer semester meeting and subsequently approved by the WVBE will have their first school year of Initial Approval Status begin as the school year immediately following the ACEPPRB meeting. All program providers approved by the WVBE for Initial Approval Status may have their program reviewed near the end of the final school year for which the program was approved, to occur during the ACEPPRB Summer semester meeting(s), to make a recommendation to the WVBE for either Continuing Approval Status or Probationary Approval Status.

10.6.a.2. 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 through the analysis of data to include successful program completion, retention rates of program completers, teacher evaluations, and other factors determined by the WVDE in consultation with stakeholders. For an approved program to remain on the Continuing Approval Status, a program review will take place on a five-school-year cycle.

10.6.a.3. 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. Section 13 provides details for programs placed on a Probationary Approval Status.

10.6.a.4. when the ACEPPRB submits official recommendations to the WVBE for Continuing Approval Status or Probationary Approval Status, program effectiveness is evaluated based upon

compliance and performance measures, with an opportunity to include a written opinion that is reflective of its members for WVBE consideration.

§126-161-11. Additional Policies and Prohibited Acts.

11.1. Tuition and Other Fees.

11.1.a. A partner that is a regionally accredited IHE with an accredited program for the preparation of professional educators may charge tuition for academic credit that an alternative teacher receives while enrolled in the alternative program for the education of teachers, provided that the regionally accredited IHE is the entity that grants the academic credit and the charge does not exceed the per-credit rate charged for students enrolled in its standard program for the education of professional educators. A partnership may not charge tuition or impose any other fees for the participation in an alternative program for the education of teachers unless the tuition or other fee is necessary to offset the partnership's cost of providing the alternative program for the education of teachers.

11.2. Program Implementation and Employment.

11.2.a. A partnership may not implement an alternative program until the partnership's alternative program has been approved by the WVBE. A school or county may not employ or make a formal offer of employment to any person for the purpose of participation in an alternative certification program unless the alternative certification program is approved by the WVBE and the school or county is a member of the partnership that is operating the alternative certification program. A school or county may not continue to employ alternative program teachers unless they make satisfactory progress in the alternative certification program for which they are enrolled. A county board shall renew alternative program teacher contracts from year-to-year as long as the teacher makes satisfactory progress in the applicable alternative education program and until the teacher completes the alternative certification program. An alternative program teacher is subject to the same force reduction policies and procedures as any other employee, except those that relate to seniority. In no event will an alternative program teacher holding an alternative teaching certificate displace a professional educator as defined in W. Va. Code §18A-3-1.

§126-161-12. Additional Alternative Preparation Programs to Prepare Teachers Established or Adopted Solely by the WVBE.

12.1. Additional alternative preparation programs to prepare teachers established or adopted solely by the WVBE are separate from the programs established under W. Va. Code §§18A-3-1b, 18A-3-1g, and 18A-3-1h, do not require any partner, and are applicable only to persons who hold a bachelor's degree from an accredited IHE and meet requirements of grade point average aligned to Policy 5202 and the West Virginia Licensure Testing Directory found on the WVDE website.

12.2. These programs are subject to other provisions of W. Va. Code §§18A-3-1 through 18A-3-1i and other sections of this policy only to the extent specifically provided within this section.

12.3. These programs may be an alternative to the standard college and university programs for the education of teachers and may address content area preparation of these persons.

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12.4. These programs, pursuant to W. Va. Code §18A-3-1j, are administered and provided by the WVDE. The WVDE may approve training and coursework it determines is substantially aligned to WVBE approved pedagogical standards to be included in these alternative certification programs. The WVDE may partner and collaborate with other entities for assistance in providing these programs. These programs are for initial teacher certification.

12.5. Individuals participating or completing these programs qualify for, receive, and maintain licenses and certificates as described in Policy 5202. The WVDE may set program criteria to include that employment is not required for enrollment and participation in these programs, leading to licensure as described in Policy 5202.

12.6. Requirements of a Comprehensive Evaluation Report, for programs described in section 12, are separate from those described in other sections of this policy and, if required by the WVDE, are pursuant to W. Va. Code §18A-3-1i.

12.7. Individuals must comply with provisions of section 7.7 regarding WVBE-approved exams, assessments, and passing score requirements.

12.8. Additional Requirements of WVDE Alternative Certification Programs' Instruction for Elementary Education.

12.8.a. Educator preparation programs preparing candidates seeking licensure for elementary education must provide training and instruction to:

12.8.a.1. include instruction in state-adopted grade-level content standards, foundational reading and mathematics skills, and how to implement reading instruction using high-quality instructional materials; and

12.8.a.2. provide effective instruction and intervention for students with reading and mathematics deficiencies, including students with characteristics of dyslexia or dyscalculia; and

12.8.a.3. understand and use student data to make instructional decisions.

12.8.b. Programs for specific learning disabilities, including dyslexia and dyscalculia, should ascribe to a common set of professional standards for the benefit of the students served. The basis of ascribing to common standards requires recognizing common characteristics of the disabilities. The International Dyslexia Association offers widely-adopted and consistent standards to guide the preparation, certification, and professional development for teachers of reading and related literacy skills in classroom, remedial, and clinical settings.

§126-161-13. Programs Not Implemented During Initial Approval Status and Programs Placed on Probationary Approval Status.

13.1. All WVBE-approved alternative certification program providers which have not enrolled a candidate or begun implementing their state-approved program within the period of Initial Approval Status must submit a request for Continuing Approval Status for WVBE consideration no later than 60 days prior to the Initial Approval Status period ending. The WVBE may place the program provider on a Continuing Approval Status, Probationary Approval Status, or revoke program approval of the provider

once this request is submitted by the provider.

13.2. WVBE-approved alternative certification programs with deficiencies identified by the ACEPPRB and WVBE may be placed on Probationary Approval Status for a period of two school years. Programs placed on probationary approval status must submit a written improvement plan within 60 days of being placed on the status to the WVDE for approval in consultation with ACEPPRB members. A progress report will be submitted by the program provider on a form developed and with criteria prescribed by the WVDE no later than 60 days prior to the end of the first probationary school year for consideration by the ACEPPRB and WVBE to determine if the program is making satisfactory progress. Based upon this report, the ACEPPRB will have an option of submitting a recommendation to the WVBE to remove the program's approval status or the ACEPPRB may allow the program to continue under probationary approval status for the second school year. No later than 60 days prior to the end of the second probationary school year, another progress report will be submitted by the program provider on a form developed and with criteria prescribed by the WVDE. Based upon this report, the ACEPPRB will submit a recommendation to the WVBE to either remove the program's approval status or place the program on Continuing Approval Status. Alternative certification programs that have their approval removed by the WVBE will no longer be allowed to enroll new program participants and must provide to the maximum extent possible all actions and supports required for participants that enrolled before the date on which the program's approval was removed to successfully complete the program and become a certified teacher in West Virginia.

§126-161-14. WVBE Approval of Training(s) and Course(s) in Substantive Alignment with Pedagogical Standards.

14.1. W. Va. Code §18A-3-2a(a)(1)(C) identifies conditions by which a person may be issued a Professional Teaching Certificate for teaching in the public schools; and W. Va. Code §18A-3-2a(a)(4) provides that teaching certificates granted pursuant to these conditions are equivalent to certificates granted to graduates of WVBE-approved teacher preparation programs at higher education institutions. Programs which consist of training and course(s) used to meet these conditions are separate from the programs established under W. Va. Code §§18A-3-1b, 18A-3-1g, and 18A-3-1h, and 18A-3-1j. Policy 5202 provides the minimum requirements, inclusive of grade point average, for the licensure of educational personnel to be employed in the public schools of West Virginia, including any licenses program participants may qualify to receive and the Professional Teaching Certificate. These programs are for initial teacher certification.

14.2. WVBE approval processes for officially recognizing pedagogical standards and programs as adequate pursuant to W. Va. Code §18A-3-2a(a)(1)(C) are separate from requirements of W. Va. Code §§18A-3-1a through 18A-3-1j and only subject to provisions as described in section 14.

14.3. Process for WVBE Approval of Programs and Supplemental Pedagogical Standards.

14.3.a. Upon requesting an application from the WVDE, programs and pedagogical standards pursuant to W. Va. Code §18A-3-2a(a)(1)(C) may be introduced for WVDE evaluation and WVBE approval by an applicant requesting to provide programs aligned to W. Va. Code §18A-3-2a(a)(1)(C). An option to officially request pedagogical standards be evaluated for WVBE approval will be included as part of the application for WVBE approval of programs which consist of specific pedagogical trainings and course(s) that substantially align to pedagogical standards of W. Va. Code §18A-3-2a(a)(1)(C).

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14.3.b. A review committee shall provide a summary report with recommendations to the WVBE. If approved by the WVBE, the new pedagogical standards will be recognized as adequate pursuant to W. Va. Code §18A-3-2a(a)(1)(C). A complete list of WVBE-approved pedagogical standards can be found on the WVDE website.

14.3.c. If the proposed set of standards are not approved by the WVBE the applicant will receive notice of the decision with feedback, and the application will be denied. The applicant may submit a revised application aligned to WVBE-approved pedagogical standards.

14.4. Candidates for licensure must comply with provisions of section 7.7 regarding WVBE-approved exams, assessments, and passing score requirements.

14.5. Additional Instructional Requirements of Programs Pursuant to W. Va. Code §18A-3-2a(a)(1)(C) for Elementary Education.

14.5.a. Educator preparation programs preparing candidates seeking licensure for elementary education must provide training and instruction to:

14.5.a.1. Include instruction in state-adopted grade-level content standards, foundational reading and mathematics skills, and how to implement reading instruction using high-quality instructional materials; and

14.5.a.2. Provide effective instruction and intervention for students with reading and mathematics deficiencies, including students with characteristics of dyslexia or dyscalculia; and

14.5.a.3. Understand and use student data to make instructional decisions.

14.5.b. Programs for specific learning disabilities, including dyslexia and dyscalculia, should ascribe to a common set of professional standards for the benefit of the students served. The basis of ascribing to common standards requires recognizing common characteristics of the disabilities. The International Dyslexia Association offers widely-adopted and consistent standards to guide the preparation, certification, and professional development for teachers of reading and related literacy skills in classroom, remedial, and clinical settings.

§126-161-15. Severability.

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