

**WEST VIRGINIA  
SECRETARY OF STATE**

**KEN HECHLER**

**ADMINISTRATIVE LAW DIVISION**

Form #5

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

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

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

CITE AUTHORITY: W.Va. Const., Article XII, §2 and W.Va. Code §18-2-6

RULE TYPE: PROCEDURAL \_\_\_\_\_ INTERPRETIVE X

EXEMPT LEGISLATIVE RULE X

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)

AMENDMENT TO AN EXISTING RULE: YES X, NO \_\_\_\_\_

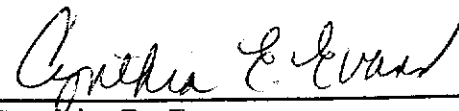
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 114

TITLE OF RULE BEING AMENDED: Approval of Educational Personnel  
Programs (5100)

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: \_\_\_\_\_

TITLE OF RULE BEING ADOPTED: \_\_\_\_\_

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS December 23, 1996



Cynthia E. Evans  
Director, Legal Services

**EXECUTIVE SUMMARY**  
**Proposed Changes to Policy 5100: Approval of**  
**Educational Personnel Programs**  
**West Virginia Board of Education**  
**November 14, 1996**

**BACKGROUND**

At its September 11, 1996 meeting, the West Virginia Board of Education voted to place on public comment modifications to the testing provisions included in Policy 5100: **Approval of Educational Personnel Programs**. The proposed changes are indicated in Attachment \_\_\_\_.

**PURPOSE**

The proposed modifications to the policy provides for the Board's broad authority to adopt tests and passing scores that are required for the licensure of West Virginia rather than specific language references to tests and passing scores that were included in the current policy. The policy changes also adds a professional knowledge test (**Principles of Learning and Teaching**) as a licensure requirement for persons completing programs after September 1.

**RESULTS FROM PUBLIC COMMENT PERIOD**

There were ten respondents in the comment period which ended October 23, 1996. The comments are provided in the attachment. Most of the comments were of a general nature that did not require a response. However, there was the recommendation that the **Principles of Learning and Teaching** tests be implemented with the beginning of the academic year, i.e., September 1, 1997, rather July 1, 1997 as previously noted. Department staff recommends that the later date be accepted. Also, the legal staff of the Department recommended a code reference change in Section 5.5. This additional code citation has been included in the proposed changes.

**IMPACT**

**Programmatic Impact**

Since the proposed changes in the policy provide for the Board's broad authority to adopt tests and passing scores as part of the West Virginia licensure requirements, it will not be necessary to undertake a policy revision process whenever tests or passing scores are adopted. Official Board action on these matters, however, will be required.

The adoption of the **Principles of Learning and Teaching** tests will provide one means for assuring that candidates for initial West Virginia licensure have the requisite professional knowledge for entry level teachers .

## **Fiscal Impact**

The proposed changes to Policy 5100 are not expected to have a financial impact on state accounts. However, the adoption of the Praxis II tests in September, 1996 are expected to reduce licensure testing costs to state accounts since examinee fees collected from over thirty states underwrite the costs of test administration, test materials and test updating.

Examinee test fees will increase by at least \$65 with the implementation of the **Principles of Learning and Teaching** tests.

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**TITLE 126  
LEGISLATIVE RULES  
BOARD OF EDUCATION**

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**SERIES 114  
APPROVAL OF EDUCATIONAL PERSONNEL PROGRAMS (5100)**

**§126-114-1. General.**

1.1. Scope. - This legislative rule establishes the standards for developing, implementing, and receiving state approval to operate an approved educational professional preparation program in an institution of higher education.

1.2. Authority - W.Va. Constitution, Article XII, §2 and W.Va. Code §18-2-6

1.3. Filing Date. - November 21, 1996

1.4. Effective Date. - December 23, 1996

**§126-114-2. Summary.**

2.1. This rule outlines the framework for developing and implementing and educational personnel preparation program. Major program components are defined, assessment instruments and/or procedures are identified, and the minimum proficiency levels are prescribed for the state adopted instruments. Program approval criteria for program implementation are also identified.

**§126-114-3. Purpose.**

3.1. The purpose of this policy is: a) to establish standards for program approval; b) to improve educational personnel preparations programs and potential educational personnel and to ensure that those who are licensed for employment in the public schools have achieved the skills and knowledge necessary to function as entry-level members of the profession. This policy relates only to the approved teacher education program element of licensure. Hence, the policy does not supersede any other certification requirements mandated by State Code and West Virginia Board of Education regulations.

3.2. This policy commits the West Virginia Board of Education to develop or revise the program objectives, assessment instruments, and proficiency levels for the professional preparation of educational personnel through a collaborative effort involving the West Virginia Department of Education, the West Virginia Higher Education, public school administrators, and classroom teachers.

3.3. The policy is based on the following assumptions: current programs have reached a point of high quality and need flexibility for continued growth; there is no one best way to train educational personnel; a portion of professional practice is measurable; no one test should determine certification; a paper and pencil test alone is not sufficient to discriminate between effective and less effective educators; teacher education should occur within a state approved program; this policy is directed toward entry level proficiency; test scores and proficiency levels should not be arbitrarily determined; test should not be unfairly discriminatory for minority students.

**§126-114-4. Definitions.**

4.1. Accredited College. - A college accredited by: 1) the official accrediting agency of the state in which the institution is located, 2) by one of the six (6) regional accrediting agencies recognized by the National Commission on Accrediting are the (North Central, Southern, Western, New England, Middle States, and Northwest Associations), the American Association of Bible Colleges, Association.

4.2. Admission to an Approved Program. - The filing of an application by a student declaring himself as a candidate to complete an approved teacher education program and the institution's formal acceptance of the student. The criteria for admission generally includes stated requirements in the form of overall grade point average, successful completion of designated courses, and passing standardized tests.

4.3. Approved Program. - An educational preparation program based upon state-adopted program objectives and other requirements which are delivered by an accredited institution and which has the endorsement of the state's legal approval agency (West Virginia Board of Education).

4.4. Endorsement. - The specialization(s) and grade levels appearing on any license which designates: 1) an individual's preparation for assignment, and 2) the areas that the individual can be legally assigned within the public schools of West Virginia (§18A-3-1).

4.5. License. - The term used to collectively recognize any or all of the documents issued by the State Superintendent of Schools under the state law and regulations of the West Virginia Board of Education which empowers an individual to perform designated services within the public schools.

4.6. Performance Assessment. - The process whereby a cooperating public school professional and a higher education faculty member judge the student's ability to apply basic professional knowledge and skills in an educational setting using an approved instrument which incorporates West Virginia Board of Education approved professional education objectives.

4.7. Program Approval Appeals Committee. - The committee, whose membership and

appointment is described in Section 7.9 of this policy, has been convened to hear grievances stemming from the evaluation of a proposed educational personnel preparation program.

4.8. Specialization. - The specific teaching, administrative, or student support assignment in which an individual may function legally within the public schools.

**§126-114-5. Program Components, Descriptions, and Assessment.**

5.1. All education personnel development programs at both undergraduate and graduate levels, shall consist of four (4) components: preprofessional skills, general studies, content specialization, and professional education. Completion of the four (4) components is necessary to fulfill state approved program requirements.

5.2. Preprofessional Skills.

5.2.1. Description. For prospective educators, preprofessional skills are those skills upon which future performance and effectiveness depend. Competence in these skills underlies the prospective educator's ability to comprehend, utilize, analyze, synthesize, evaluate, and communicate information. Preprofessional skills common to educational personnel are: reading, writing, mathematics, speaking, and listening as determined by the West Virginia Department of Education preprofessional skills program objectives and the specific test objectives from the adopted standardized assessment instrumentation.

5.2.2. Assessment. - Preprofessional skills in reading, writing and mathematics shall be assessed by the Educational Testing Service's Preprofessional Skills Tests. The College Outcome Measures Project of the American College Testing Program (activities 13-15) shall be used to assess speaking. Assessment for listening and speaking will be conducted by the institution until appropriate instruments are approved by the West Virginia Board of Education.

5.2.3. Proficiency Levels. The West Virginia Board of Education shall establish the acceptable levels of performance on the preprofessional skills assessments in reading, writing, and mathematics.

a. In lieu of taking the state approved preprofessional skills tests, the applicant for licensure may provide evidence of:

A. A master's degree or above from a regionally accredited institution of higher education.

or

B. Prior completion of a state approved educational personnel preparation program.

or

C. Attainment of State Board approved composite scores from a single administration of the American College Testing Program (ACT) or the Scholastic Achievement Test (SAT).

### 5.3. General studies.

5.3.1. Description. General studies shall be based upon an institution's definition of its concept of an educated person.

5.3.2. Assessment. General studies shall be assessed by the established institutional assessment techniques.

5.3.3. Proficiency levels. The general studies proficiency level shall be determined by the individual public and private institutions of higher education.

### 5.4. Content specialization.

5.4.1. Description. Content specialization pertains to the specific teaching, administrative, or student support specialization(s) and grade levels listed on a professional certificate in accordance with School Laws of West Virginia §18A-3-1. Content specialization shall include, but not be limited to, job-related test objectives and program objectives (for specialization without tests). The distribution of credit hours and sequence of courses and other activities in this component shall be determined by the institution.

5.4.2. Assessment. Content specialization shall be assessed by a state approved Praxis subject area tests. Low incidence specializations will be studied to determine the feasibility of state developed instruments to assess proficiency levels.

5.4.3. Proficiency levels. After test review committees validate each test and recommend an acceptable proficiency level, the West Virginia Board of Education shall adopt passing scores for each test included in the state content specialization testing program. Content specialization tests adopted by the State Board are subject to periodic reviews for purposes of validation and proficiency levels.

### 5.5. Professional Education.

5.5.1. Description. Professional education is defined as those skills and practices which are required to translate professional or content knowledge into meaningful educational performance. The professional educational component shall be designed to develop state adopted professional education

program objectives. Institutions shall have the latitude to go beyond the professional education program objectives in accordance with their institution's missions and philosophies. Field experiences shall be implemented cooperatively with the county school districts in accordance with §18-2-6 and §18A-3-1. State standards for the professional education component for service and administrative specializations shall be determined by the institution which must identify the specific objectives designated as the professional education objectives.

5.5.2. Knowledge Assessment.- Persons completing program leading to the initial Professional Teaching Certificate after September 1, 1997 shall pass a State Board adopted Principles of Learning and Teaching Praxis test that includes at least a portion of the grade levels indicated on the anticipated license.

5.5.3. Professional Performance Assessment. Professional performance shall be assessed by the administration of the institution's performance instrument(s) and procedures for field based experiences. A performance assessment is required for licensure at each programmatic level requested regardless of the certificate on which it is endorsed.

a. For endorsements on the Professional Teaching Certificate, assessments shall be conducted in at least one teaching specialization in general or vocational education for which certification is requested. Exceptions to the preceding statement prevail in the following specializations: multi-subjects, early education and special education. For purposes of licensure, multi-subjects and early education require a performance assessment. Special education endorsements in mentally impaired, behavioral disorders or specific learning disabilities require a performance assessment in at least one of the three (3) specializations. All other special education endorsements require a separate performance assessment.

b. For endorsements on the Professional Service Certificate or Professional Administrative Certificate, a performance assessment is required in each specialization.

c. The assessment instruments and procedures shall relate to the professional education program objectives in evaluating educational personnel performance. The performance assessment shall be administered by a local team composed of the higher education supervisor and public school cooperating personnel. When a public school cooperating supervisor with the appropriate experience and/or training is not available to administer the performance assessment, higher education may designate an institution-based clinical supervisor in lieu of the public school supervisor.

5.5.4. Professional Knowledge Assessment. The West Virginia Board of Education shall adopt passing scores for the professional knowledge assessments after state test review committees have validated the tests and have made recommendations to the State Board for acceptable proficiency levels. The Principles of Learning and Teaching tests adopted by the State Board are subject to periodic reviews for purposes of validation and proficiency levels.

5.5.5. Professional Performance Assessment. The acceptable proficiency level on the performance assessment for the field based experience(s) shall be developed collaboratively by public school administrators, classroom teachers, and teacher education faculty. Verification of the proficiency level shall be by both college supervisor(s) and public school cooperating personnel, except where the institution-based clinical supervisor is used under conditions noted in 5.5.3c.

#### **§126-114-6. Program Implementation.**

6.1. Proficiency Levels. All test activities conducted under the provisions of Policy 5100 shall be addressed in collaboration, when appropriate, with test designers, public school administrators and classroom teachers, representatives from institutions of higher education, and personnel from the West Virginia Department of Education and the West Virginia Higher Education and approved by the West Virginia Board of Education.

6.2. Admission to Teacher Education. The criteria for admission to educational personnel preparation programs will be determined by the institution of higher education using written policies adopted by the institution.

6.3. The Educational Personnel Preparation Advisory Committee (EPPAC). Each institution of higher education which offers an educational preparation program shall have an Educational Personnel Preparation Advisory Committee which consists of representatives from college and university educators, public school administrators and classroom teachers, and the liaison to the institution from the West Virginia Department of Education. EPPAC serves as an advisory body to the institution's chief educational personnel preparation officer in developing and reviewing all educational personnel programs and policies for the preparation of educational personnel within the institution.

6.4. Second Field/Programmatic Level Requirements. In addition to satisfying Policy 5100 components (§126-114-5) and the requirements of State Board Policy 5202, Minimum requirements for the Licensure of Educational Personnel, recommendations for the initial professional certificate must reflect two (2) specializations within one programmatic level or one specialization across two (2) programmatic level requirement apply to Business Education, Marketing Education, Occupational Home Economics, Vocational Technical Education, Biological Science, Chemistry, and Physics. Institutions may petition the State Board for approval of additional exemptions to the requirement.

6.4.1. Specialization prerequisites apply to Early Education (grades Pre-K-K) and special education endorsements. The prerequisite endorsement for Early Education is Multi-Subjects (grades K-4 or K-8) or Preschool Handicapped (Pre-K). Special education endorsements, grades K-8 or K-12, may only be issued with the Multi-Subjects (grades K-8) endorsement. However, the Multi-Subjects prerequisite requirement may be waived for persons with evidence of achieving the Board adopted passing score of 140 on the K-8 Multi-Subjects Content Specialization Test (Test Field 02). The test waiver option is not available for Gifted Education (grades K-8). Special education endorsements, grades 5-12 or K-12 endorsement for a non-special education field. Individuals holding a 5-12 special

education endorsement may teach the content and grade level in the subject specialization on the professional certificate and may serve as a consultative teacher in the special education field within the grade levels of the instructional specialization.

6.5. Implementation Dates. In order to be eligible for certification,

6.5.1. Students who enroll at a West Virginia personnel preparation institution in the fall of 1985 and thereafter shall complete an approved program based upon Policy 5100.

6.5.2. Content specialization tests shall be included in the state-wide testing program during the academic year following the distribution of job-related test objectives. Beginning on September 1, 1986, scores from the National Teacher Examinations (or other previously approved examinations) taken after August 31, 1986 will not be accepted for certification of any graduates of West Virginia institutions where a standardized content specialization test which has been developed under Policy 5100 is available.

### **§126-114-7. Program Approval.**

7.1. Institutional/Program Approval Prerequisites.

7.1.1. National. - West Virginia institutions which choose to offer WV Board of Education approved programs must establish or maintain accreditation of the Professional Education Unit by the National Council for the Accreditation of Teacher Education (NCATE). An initial review for non-NCATE institutions must be conducted before July 1, 1993.

7.1.2. Regional. -The institution must be accredited by the North Central Association of Colleges and Schools for the appropriate academic levels.

7.1.3. Institutional. - All programs submitted for State Board approval must have been reviewed by the institution's Educational Personnel Preparation Advisory Committee (EPPAC).

7.1.4. WV Board of Regents/Private Institution. - Public Supported institutions must be authorized by the West Virginia Board of Regents to offer preparation programs(s) leading to West Virginia licensure. In the case of private institutions, a letter from the chief executive officer of the institution which authorizes the program offering must be provided.

7.2. State and NCATE Standards.

7.2.1. Approved programs shall consist of the components, objectives and assessment procedures described in §126-114-5.

7.2.2. NCATE Standards shall serve as the basis for development and review of the Professional Education Unit.

### 7.3. Review and Approval Procedures for Currently Approved Programs.

#### 7.3.1. NCATE Review.

a. Beginning in the Fall of 1993, WV institutions must hold NCATE accreditation of the Professional Education Unit or must have completed the initial on-site visit by July 1, 1993.

b. At least six months prior to the scheduled NCATE on-site review, the institution shall update all approved program documents (Matrices, curriculum summary sheets, etc.) on file in the West Virginia Department of Education.

c. The state will provide three members to the initial NCATE review teams, one each from the West Virginia Department of Education, the public schools, and West Virginia institutions of higher education. The representative from the West Virginia Department of Education will be a non-voting member. The state will provide one member from the West Virginia Department of Education for all follow-up teams. All state team members will be appointed by the state superintendent of schools from the pool of trained evaluators. An institution may request the removal of a state team member for due cause, e.g., conflict of interest.

d. Reimbursement of expenses for NCATE team members shall be in accordance with NCATE procedures, except that state members shall be reimbursed by West Virginia Department of Education funds.

e. If an institution fails to obtain NCATE accreditation within two years after its accreditation has been denied or revoked, a recommendation for withdrawal of approval for all state approved personnel preparation programs offered by the institution will be submitted to the West Virginia Board of Education. An institution for which program approval has been withdrawn shall identify all students currently enrolled in approved programs and submit a list to the West Virginia Department of Education. Such students will be permitted to complete programs; however, no new students may be admitted.

f. Graduates of West Virginia NCATE accredited institutions shall be so recognized on a professional certificate.

#### 7.3.2. Additional State Requirements for Maintaining Program Approval.

a. An institution shall submit to the West Virginia Department of Education by July 31 of each year an annual report on its teacher education programs. The annual report shall contain such information as:

A. The number of graduates of each approved program for the previous academic year (July 1-June 30) and the projected graduates for the next two years.

B. The total number of graduates of all approved programs, i.e., a "head-count" of graduates with each graduate counted only once (July 1-June 30) and the projected graduates of all programs for the next two years.

C. A summary of Educational Personnel Preparation Advisory Council meetings, including dates of meetings, topics reviewed and actions taken (July 1-June 30).

D. The institution's analysis of the most recent annual report on Policy 5100 personnel test results. The analysis shall include:

(a) Major findings related to the institution's approved programs.

(b) Program actions taken or recommendations made prompted by the test results.

(c) Projected program modifications to build on strengths or remediate deficiencies revealed by the test results.

(d) Documentation of the EPPAC's review of test results.

b. An institution shall update program documents, e.g., curriculum summary sheets, program matrices, changes in admission requirements, as changes are processed through the EPPAC.

c. An institution shall provide the West Virginia Department of Education with copies of NCATE reports, correspondence, and documents that bear directly on the institution's NCATE accreditation or reaccreditation.

#### 7.3.3. Expiration of approved programs; Program Approval Extensions of On-Site Reviews.

a. Educational personnel preparation programs currently approved by the West Virginia Board of Education will expire on July 1, 1990.

b. The West Virginia Department of Education will recommend an extension of an institution's approved programs if the institution holds NCATE accreditation by July 1, 1990. Program approval shall extend to the State Board action on the subsequent on-site report resulting from the NCATE visit.

c. The West Virginia Department of Education will recommend an extension of approved programs for a non-NCATE institution provided that the institution undergoes an initial NCATE review before July 1, 1993 and provides the West Virginia Department of Education with written documentation of scheduling of the NCATE review by July 1, 1990. Program approval shall extend from the State Board action on the initial NCATE visit to the Board action on the subsequent NCATE visit.

d. Institutions which do not have NCATE accreditation as of July 1, 1990 and have not scheduled an initial visit to take place by July 1, 1993, may not admit any new students to programs after July 1, 1990 and State Board approval for the institution's program will be withdrawn.

#### 7.4. New Content Specialization Programs Filing Guidelines and Program Approval Procedures for Programs Based on Board Adopted Program Objectives.

7.4.1. Authorization. - The institution shall notify the State Superintendent of Schools no later than June 30 of its intention to seek program approval during the following fiscal year. The notification shall include a letter of authorization from the institution's governing agency indicating approval for program development.

7.4.2. Self-Study. - Institutions which seek to add new content specialization programs must submit a self study which includes the following elements:

a. Needs assessment and Impact Study. - The institution must provide the documented data base using regional, state, and national supply and demand data that there is a need for training additional personnel in the proposed specialization. The proposal must also include annual projection for a five-year period on the anticipated number of persons expected to complete the proposed specialization. Also, the institution must address how the proposed program will enhance or contribute to the implementation of curricular offerings within Policy 2510 and the Criteria of Excellence.

b. Variances from Previously Approved Program Processes and Components. - The self study shall identify any variances proposed for the new content specialization on admission and retention practices, and delivery and assessment of general studies, preprofessional skills and professional education components previously approved by the West Virginia Board of Education.

c. Faculty Qualifications. - The institution shall identify the faculty who have primary responsibility for the new content specializations by providing faculty vita sheets which attest to the individuals' qualifications in the area or areas of their assignments

d. Content Specialization. - The self study must account for the appropriate program objectives by including the following:

A. A curriculum summary sheet which identifies 1) the name of specialization, 2) programmatic level(s), and 3) total hours required for the proposed specialization and the required courses by number, title, and hours of credit.

B. A matrix which identifies the program objectives and shows their delivery through specified courses, instructional modules, or other instructional activities.

C. Course outlines which reflect delivery of objectives noted in the matrix or matrices.

e. Program Resources. - The institution shall list any special facilities, equipment, and materials required for the implementation of this program and note that these are currently available or provide a timeline for their acquisition.

f. Sites for Field Based Experiences. - The institutions shall identify sites for field based experiences for the content specialization at each programmatic level.

#### 7.4.3. Review of New Content Specialization Programs.

a. The initial program review and recommendation for implementation will be conducted by the institution's EPPAC members and the institution's governance structure.

b. The program proposal submitted to the West Virginia Department of Education will be reviewed to determine that all required data outlined in the filing guidelines have been addressed. If sections in the document are missing or have not been addressed adequately, this shall be noted in written communication to the institution. If the self-study is complete, the institution and the department liaison will establish a mutually agreeable date for the on-site program review (assuming availability of funding).

c. The West Virginia Department of Education shall conduct the on-site review with the assistance of no fewer than two content area specialists (one public school/one higher education) who are appointed by the State Superintendent of Schools after being reviewed by institutional officials.

d. The purpose of the on-site review is to determine if the self-study document has adequately addressed applicable Policy 5100 provisions.

e. A report of the on-site findings will be prepared by the West Virginia Department of Education and submitted to the institution.

#### 7.4.4. Approval of New Content Specialization Programs.

a. If the review team determines that the program complies with Policy 5100 requirements, the team may recommend the program for implementation. If minor adjustments in the planned program are needed, the team may note that such modifications are required in order to receive a recommendation for program implementation. Should the review team find major deficiencies in the program or its resources, it may recommend that the program not be implemented.

b. The program may be implemented following State Board action on its approval status. Board approval of the program is continuous, subject to the stipulations described in Section 7.3.2.

#### 7.5. Filing Guidelines and Program Approval Procedures for Modification of Currently Approved Programs.

7.5.1. This section refers to extension or reduction of programmatic levels of content specializations for which content specialization program objectives are available and to modifications in components of currently approved programs.

7.5.2. The following documentation must be submitted to the West Virginia Department of Education before any modification is approved and implemented.

a. Review by the institution's EPPAC and approval by the appropriate institutional governance structure.

b. Data and explanation related to the projected impact that the proposed change is expected to have on the supply and demand of educational personnel in the region and the state.

c. New matrices and/or curriculum summary sheets in each Policy 5100 component (preprofessional skills, general studies, content specialization, and professional education) that is affected by the proposed change(s).

d. Other variances in the currently approved program, that will result if the modification is approved.

7.5.3. Upon receipt of the required documentation related to the proposed modification, the West Virginia Department of Education will review the documents for completeness and assess the congruence of the proposed modification with State Board policies and public school staffing needs. If the modification is approved, the Department's liaison will so notify the institution by letter.

#### 7.6. Filing Guidelines and Program Approval Procedures for Experimental Programs.

7.6.1. Experimental personnel preparation programs refer to those programs for which there are no Board adopted program objectives.

7.6.2. The required authorization and self-study documents are the same as for new content specialization programs (see Section 7.4.1 and 7.4.2) with addition of the following:

a. The proposed specialization must include a well-defined role description that outlines the functioning of the new professional personnel in the public schools. A tentative description of the curriculum objectives and/or services to be delivered to public school students at the designated programmatic level(s) must also be included. The program must specify if it is designed to serve general education, vocational education, or special education students.

b. The proposal must include a list of training objectives upon which the program is designed.

c. The proposal must also include a description of procedures and instruments for assessing the training objectives.

d. The experimental proposal must further 1) provide a rationale for creating a new specialization rather than incorporating it into an existing endorsement, 2) demonstrate that existing registration or licensing practices do not already provide for the proposed role in the public schools, 3) provide evidence of a national trend and/or state need for certifying personnel within the desired area, and 4) document that as a result of current federal, state, or local regulations, laws, or guidelines, personnel without appropriate training are, or will be, providing instruction or services.

7.6.3. Program review and approval procedures are identical to those of new programs except that the institution is required to submit annual program review reports to the West Virginia Department of Education throughout the period of approval. The reports are due by July 31 of each year following approval (not to exceed seven years).

7.6.4. At the end of the approval period, the experimental program must be discontinued or converted to a Board approved content specialization. If the institution wishes to convert its program, it must petition the State Board for such action at least ninety days before the end of the approval period. The State Board shall place the program objectives of the proposed content specialization on a sixty day public comment period before final action.

7.7. Filing Guidelines for Approval of a West Virginia Institution to be Established as an Educational Personnel Preparation Institution.

7.7.1. The prospective educational personnel preparation institution must provide documentation of Board of Regents or (in the case of private institutions) chief executive officer authorization to offer programs.

7.7.2. The institution must obtain North Central Association accreditation for the appropriate academic levels.

7.7.3. The institution must undergo a West Virginia Department of Education review of all Policy 5100 components as outlined in §126-114-5 and §126-114-6. In addition, the institution's Professional Education Unit must comply with NCATE standards. The institution shall submit a self-study to the Department which documents compliance with Policy 5100 components at least six months prior to the state on-site review.

7.7.4. A state on-site review of the institution and its proposed programs will be conducted to determine compliance with Policy 5100, and NCATE standards. The review team shall consist of two trained evaluators to review the Professional Education Unit and two evaluators for each content specialization that is proposed.

7.7.5. If the institution complies with applicable provisions of Policy 5100, the review team may recommend to the state Board interim approval until the institution receives NCATE accreditation. Interim approval may not extend for more than two years from initial Board action.

7.7.6. Upon receipt of NCATE accreditation, the State Board will change approval status from full to continuous approval, subject to the conditions identified in Section 7.3.

7.8. Filing Guidelines for Substitute Assessment Procedures for Preprofessional Skills.

7.8.1. Any substitute measure must be comparable to the adopted measure. Comparability must be demonstrated in the areas of content, construct, and criterion validity as well as test reliability. The substitute measure must satisfy the following conditions:

- a. All students, regardless of the training institution, should take the same test(s) or tests equated to the state designated tests.
- b. The test(s) must be secure instruments.
- c. Equivalent forms of the same test(s) must be available or developed to enhance security.
- d. Students should be tested at specific test sites at predetermined times by proctors trained to administer the tests.
- e. Cut scores should be based upon the results of testing under formal test conditions.
- f. Decisions about student competence should be based upon the total score for each administered test.
- g. Students who fail any or all parts of the test(s) should be provided the opportunity to retake any or all parts failed. An equivalent form of the failed test(s) must be administered during the retesting process.
- h. Scores and item analysis reports for students should be provided to institutions of higher education.
- i. Prior to the administration of the tests, students and staff at all institutions should be informed of the test content, cut scores, and consequences of the testing.

7.9. Program Approval Appeal Process.

7.9.1. Purpose. - The purpose of this document is to describe the procedures by which an institution of higher education which has grievances stemming from the evaluation of a proposed educational personnel preparation program may have a hearing of these grievances. An institution wishing to contest a review team's finding may file an appeal with the State Superintendent of Schools.

## 7.9.2. Definitions.

a. Appeal. - The formal procedure used by an institution to bring a review team finding or recommendation before the State Superintendent of Schools for re-examination. The appeal shall result in a decision to affirm or reverse the challenged finding or recommendation.

b. Appeal Bases. - An institution may base an appeal on errors in data collection, interpretations of data, and/or recommendations that the Review Team is alleged to have made.

c. Program Approval Appeals Committee. - The Program Approval Appeals Committee (PAAC) is comprised of the President and Vice-President of the West Virginia Council on Professional Education, and three members selected from the state pool of NCATE trained evaluators. Membership on the PAAC is precluded if the designated member is employed by the institution initiating the appeal or if the designated member served on the Review Team. In such cases, the State Superintendent will select a replacement from the Council, giving consideration to representation from both higher education and the public schools. The liaison from the West Virginia Department of Education shall serve as an ex officio member and convener of the PAAC.

d. Review Team. - The team which conducted the review of the proposed program which is under appeal.

## 7.9.3. Appeal Procedure.

a. Submitting an Appeal. - An institution which decides to appeal a finding must submit the appeal within thirty calendar days following receipt of the written Review Team Report.

b. Appeal Format. - The president of the institution shall write a letter to the State Superintendent requesting that the finding(s) be reviewed and shall identify in writing each finding which is presumed inaccurate. The institution shall address each condition by substantiating through evidence that the findings of the Review Team contain errors in data collection, interpretations, and conclusions. Only information and evidence available at the time of the review may be introduced during an appeal.

## c. Initiation of the Appeal Review. -

A. The State Superintendent shall receive the institution's request for an appeal, and will accept or reject the request as unfounded not later than 30 calendar days following the receipt of the appeal.

B. If the State Superintendent accepts the appeal it shall be referred to the PAAC. However, during the time of the adjudication of the appeal, the findings of the Review Team remain in effect.

C. The PAAC shall investigate the appeal and report its findings to the State Superintendent of Schools within 30 calendar days from the appointment of the team.

D. The PAAC may: 1) solicit testimony and/or clarification from the Review Team, 2) request clarification from program staff at the institution initiating the appeal, and 3) seek counsel from any other appropriate sources.

E. The PAAC report shall be submitted to the State Superintendent who shall review the findings and adjudicate the appeal. He shall then notify the president of the institution and the West Virginia Board of Education of the disposition of the appeal.



Date Rec'd	Individual/Organization	Comment	Action/Type	Rationale
<b>Section 5.2 (Continued)</b>				
10/23/96	Chris Courtney, Cert. Anal. Kanawha County Schools	5.2.3. <u>Proficiency Levels</u> - C. Attainment of State Board approved composite scores from a single administration of the ACT or SAT. Will there be a time-line? (If someone took the ACT or SAT twenty years ago). Are there already established approved composite scores for these tests?	A	The expiration date of a test score is a valid issue and will be considered in future deliberations about Policy 5100 revisions.
10/24/96	William A. Toussaint WVDE	Fine, yet §18-2-6 has been almost entirely replaced by §18A-3-1 in regard to teacher preparation, as noted on the draft policy.	A	Additional Code reference included in revised policy.
10/25/96	Chairperson, LSIC Jolo Elementary	Timely, realistic and pertinent	N	

<b>Section 5.4</b>				
Date Rec'd	Individual/Organization	Comment	Action/Type	Rationale
10/18/96	Faculty Senate Cabell Alternative School	What constitutes acceptable proficiency levels?? How was the Praxis test selected? Better communication of expectations is needed.	N	
10/22/96	Faculty Senate Divide Elementary	Make assessment across the board nationwide, not individually statewide.	N	New Praxis testing program is a national testing program.
10/22/96	Donna Z. Heuneman, Exe. Dir. WV Developmental Disabilities Planning Council	We would like to recommend that assessment and proficiency levels for content specialization include assessment and testing in areas addressed in our comment on 5.2: disability awareness, curricula modification, assistive technology, IEP development, etc.	NA	Disability awareness training is more appropriately dealt with in standards for the professional education component. The proposed changes only deals with testing provisions.
10/26/96	Chris Courtney, Cert. Anal. Kanawha County Schools	5.4.3. <u>Proficiency levels</u> . After test review committees validate each test will these test scores be acceptable in other states?	N	Informational question. Response depends on receiving state's required tests and scores.

Date Rec'd	Individual/Organization	Comment	Action/Type	Rationale
<b>Section 5.4 (Continued)</b>				
10/25/96	Chairperson, LSIC Jolo Elementary	Basically sound in principle	N	

<b>Section 5.5</b>				
10/18/96	Faculty Senate Cabell Alternative School	Evaluations difficult. Teachers adding certifications may <u>not</u> require field-based experiences - may involve spending unnecessary monies.	N	
10/21/96	Sam Securo, Chair, Education WV State College	<p>5.5.2. Recommend that the effective date of PLT implementation be changed to September 1, 1997. Academic semesters do not align with fiscal year cycles. ISHE have August graduates usually during the first or second week. These candidates should be treated the same as are the May, 1997 graduates in regard to the PLT exemption. Except for a remaining course or two in most instances, they are in the same cycle as May graduates. In most cases they will, in fact, complete their course work prior to June 30th, but graduation will not occur until August. Thus the transcript will document program completion as of the August date.</p> <p>It is now not certain whether PLT exams will be available in WV during summer months. Even so, July test dates will be a close call, given that receipt of scores take between 4-6 weeks. This could pose a hardship on August graduates who already have to plan for Praxis II testing in March or May 1997. Depending upon one's major/minor teaching field combinations, some candidates will be hard pressed just to schedule the appropriate number of Praxis II exams. For some it could result in a delay of graduation until December 1997.</p>	A	There are no substantive consequences for delaying the implementation of the PLT by three months. Accommodation to the higher education request is appropriate.

Date Rec'd	Individual/Organization	Comment	Action/Type	Rationale
<b>Section 5.5 (Continued)</b>				
	Sam Securo (Cont'd)	<p>The change to September 1 provides a "clean" break between graduation cycles and allows program administrators to concentrate on the next cycle (December, 1997 graduates). Such a change does not compromise the testing program and its goals but would greatly serve our students.</p>		
10/21/96	Dr. Sally Digman, Ed. Chair Alderson-Broadus College	5.5.2 The July 1 date will cause undo hardship on students who must take one or more summer courses to complete their program since their completion date will be August 31 as a summer graduate. <u>Please</u> move completion date to August 31 or after. Thanks!	A	There are no substantive consequences for delaying the implementation of the PLT by three months. Accommodation to the higher education request is appropriate.
10/22/96	Faculty Senate Divide Elementary	Make assessment scores across the board nationwide, not individually statewide.	N	New Praxis testing program is a national testing program.
10/22/96	Donna Z. Heuneman, Exe. Dir. WV Developmental Disabilities Planning Council	The description of "Professional Education" given in 5.5.1 notes that: "Professional Education us defined as those skills and practices which are required to translate professional or content knowledge into meaningful educational performance." The DD Planning Council, and national best practice advises that, in order to achieve meaningful educational performance for students with disabilities, general and vocational educators must have an understanding of disabilities, how to make curriculum modifications, how to assist students with disabilities accomplish educational goals. Once again, we would like to reiterate the need to include this information at all levels of educational training and assessment.	NA	Disability awareness training is more appropriately dealt with in standards for the professional education component. The proposed changes only deals with testing provisions.

Date Rec'd	Individual/Organization	Comment	Action/Type	Rationale
<b>Section 5.5 (Continued)</b>				
10/23/96	Chris Courtney, Cert. Analysis Kanawha County Schools	5.5.3. <u>Professional Performance</u> I think the special education endorsements in mentally impaired, behavior disorders or specific learning disabilities requiring only one performance assessment in at least one of these specializations is a step in a positive direction. How will professional educators who are certified in one or more area(s) but not all three be able to add the additional endorsement? Will this only apply after adoption of these revision?	N	
10/25/96	Brenda Vargo East End School	Preprofessional tests should only be one determinant for teaching professionals. Assessment in Mathematics does not gauge the performance of a caring, competent professional. Licensure should be assessed by tandem scores of performance and proficiency in the actual teaching arena. Scores may measure knowledge but a successful teacher is more than a score on an assessment.	N	
10/25/96	Chairperson, LSIC Jolo Elementary	Basically sound in principle.	N	

Date Rec'd	Individual/Organization	Comment	Action/ Type	Rationale
<i>General Comments</i>				
10/21/96	Malcolm Chaw McKinley LSIC	O.K. with McKinley	N	
10/22/96	Faculty Senate Divide Elementary	Are we testing too much?	N	

## FISCAL NOTE WORKSHEET

(Submit 4 Copies)

NO. \_\_\_\_\_ DRAFT NO. \_\_\_\_\_ BILL NO. \_\_\_\_\_ RESOLUTION NO. \_\_\_\_\_

SUBJECT Policy 5 100 \_\_\_\_\_ FUND \_\_\_\_\_

SOURCE OF REVENUE:  GENERAL FUND  SPECIAL  OTHER (SPECIFY) \_\_\_\_\_

TYPE OF ESTIMATE BASED ON:  AN ORIGINAL ESTIMATE  BUDGET BILL  OTHER (SPECIFY) \_\_\_\_\_

DATE ESTIMATE BASED ON:  AN ORIGINAL ESTIMATE  BUDGET BILL  OTHER (SPECIFY) \_\_\_\_\_

**SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 & GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT**

EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	\$	\$ 100,000	\$ -0-	\$ -0-	\$ -0-
PERSONAL SERVICES CURRENT EXPENSES REPAIRS/ALTERATIONS EQUIPMENT OTHER	\$	\$	\$	\$	\$
ESTIMATED TOTAL REVENUES	\$	\$	\$	\$	\$

EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

With previous state specific content specialization tests, the state funded the costs of updating the tests and any publication costs associated with the testing program. Under the new testing program, which is national in scope, Educational Testing Service (ETS) funds costs encumbered from test publications and updating state costs for the ETS program are incidental.

9/11/96

AGENCY  
Department of Education

AUTHORIZED REPRESENTATIVE

