

WEST VIRGINIA

SECRETARY OF STATE

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ADMINISTRATIVE LAW DIVISION

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OFFICE OF WEST VIRGINIA SECRETARY OF STATE

Form #2

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Board of Education TITLE NUMBER: 126
RULE TYPE: Legislative; CITE AUTHORITY: W.Va. Const., Art. XII, §2, and W.Va. Code §§18-2-5, 18-10E-1, 18A-2-9, 18A-3-1, 18A-3-1a, 18A-3-3a, 18A-3-6, 18A-3-7, and 18A-4-4.
AMENDMENT TO AN EXISTING RULE: YES X NO
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 136

TITLE OF RULE BEING AMENDED: Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (5202)

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON April 17, 1998 AT 4:45 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

Barbara Brazeau, Assistant Director
WV Department of Education
Capitol Complex, Bldg. 6, Room 252
1900 Kanawha Boulevard, East
Charleston, WV 25305-0330

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Cynthia E. Evans

Cynthia E. Evans
Director, Legal Services

ATTACH A BRIEF SUMMARY OF YOUR PROPOSAL

\$13.80

**POLICY 5202. MINIMUM REQUIREMENTS FOR THE LICENSURE OF
PROFESSIONAL/PARAPROFESSIONAL PERSONNEL AND
ADVANCED SALARY CLASSIFICATIONS**

EXECUTIVE SUMMARY

Background: The major amendments to Policy 5202 include:

Jobs for West Virginia's Graduates Program

Governor Cecil Underwood recently implemented the "Jobs for America's Graduates" (J.A.G.) Program in West Virginia's public schools. This program, which targets at-risk students, provides instruction in job seeking, interpersonal and other career seeking skills. The individuals employed in the program, not all of whom are educators, must complete J.A.G. training. One of the amendments to Policy 5202 is to create an Authorization for the individuals employed in the J.A.G. program to ensure completion of the appropriate training and to provide appropriate licensure as mandated by law.

Vocational Licensure

New technical/industrial and health occupations teachers are unable to complete the required written content test prior to employment due to the lag time between notification to the test administrators that the test is needed, the ordering of the test from the National Occupational Competency Testing Institute (NOCTI) and the actual administration and scoring of the test. A proposed amendment to Policy 5202 is to change the written content test as a requirement for the initial Vocational Permit to a requirement for the first renewal of that same Permit.

In addition, it is proposed that a certificate from the American Medical Technologists Association be included as an option for an individual seeking licensure to teach the medical assistant program.

Undergraduate Credit for Advanced Salary Purposes

In 1984, the West Virginia Legislature passed legislation that allows fifteen semester hours of appropriate undergraduate credit from a regionally accredited institution of higher education to be used for advanced salary purposes. This provision was inadvertently eliminated from Policy 5202 when the policy was amended by the West Virginia Board of Education in June 1997.

In addition to the major amendments, inconsistencies have been corrected and specializations that were omitted from Appendix A have been added.

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**TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION**

**SERIES 136
MINIMUM REQUIREMENTS FOR THE LICENSURE
OF
PROFESSIONAL/PARAPROFESSIONAL PERSONNEL
AND
ADVANCED SALARY CLASSIFICATIONS (5202)**

§126-136-1. General.

1.1. Scope. - This legislative rule establishes the minimum requirements for the licensure of educational personnel to be employed in the public schools of West Virginia.

1.2. Authority. - West Virginia Constitution, Article XII, Section 2, West Virginia Code §§18-2-5, 18-10E-1, 18A-2-9, 18A-3-1, 18A-3-1a, 18A-3-3a, 18A-3-6, 18A-3-7, 18A-4-4.

1.3. Filing Date. - ~~June 24, 1997~~

1.4. Effective Date. - ~~July 24, 1997~~

~~1.5. Repeal of former rule. - This legislative rule repeals WV 126CSR155, Policy 5203, WV 126CSR156, Policy 5106, and WV 126CSR138, Policy 5211 and repeals and replaces WV 126CSR136, Policy 5202.~~

§126-136-2. Summary.

2.1. These rules outline the minimum requirements for the various licenses approved by the State Board and issued by the state superintendent of schools to educators and paraprofessionals who wish to work in West Virginia's public schools. They also outline the requirements for educators who wish to qualify for an advanced salary classification. Important terminology is defined, governing principles are identified, and the criteria for issuance of each license and salary classification are established.

§126-136-3. Purpose.

3.1. The primary purpose of licensure is to assure the public that educators and paraprofessionals meet established levels of competence to deliver an appropriate and effective educational program to the state's public school students. Licensure requirements established in this policy provide a means of ensuring that persons employed in West Virginia public schools have

the necessary knowledge and skills to meet the responsibilities of their professional assignments in instruction, student support services and/or administration.

3.2. The licensure system defined in these rules supports: 1) the proposition that licensure patterns and specializations should meet the needs of students; and 2) the mobility of qualified educational personnel.

3.3. The State Board will create the West Virginia Commission for Professional Teaching Standards (WVCPTS) which will be comprised of a majority of classroom teachers, and which will be responsible for reviewing and recommending to the State Board regulations for the licensure of educational personnel.

§126-136-4. Definitions.

4.0. A.B. - A bachelor's degree from an accredited institution of higher education as defined in §126-136-4.2, which has been issued to, or for which the requirements for such have been met by, a person who qualifies for or holds a Professional Certificate or its equivalent.

4.1. A.B. Plus 15. - A bachelor's degree from an accredited institution of higher education as defined in §126--136-4.2 plus 1) 15 semester hours of approved graduate course work from an accredited institution of higher education, as defined in §126-136-4.2, approved to offer graduate credit, met by a person who qualifies for or holds a Professional Certificate or its equivalent.

4.2. Accredited Institution of Higher Education. - A college or university accredited: 1) by the official accrediting agency of the state in which the institution is located and, 2) by one of the six regional accrediting agencies recognized by the National Commission on Accrediting (Middle States, New England, Northwest, North Central, Southern, and Western Associations), the American Association of Bible Colleges, the Association of Independent Colleges and Schools or the Association of Theological Schools, to award degrees at a stipulated level, i.e., bachelor's degree, master's degree, and/or doctorate degree.

4.3. Advanced Salary Classification. - The upgrading of an educator's salary classification to bachelor's plus 15, master's, master's plus 15, master's plus 30, master's plus 45, or doctorate.

4.4. Ancillary Requirements. - For purposes of implementing the Interstate Contract Concerning Qualification of Educational Personnel, ancillary requirement means the following: minimum grade point average, standardized testing or assessment, mentoring, experience or graduation from an accredited institution of higher education.

4.5. Appeal. - A written request submitted by an individual for a credential review based on one of the provisions stated in §126-136-26.10.1. The appeal shall cite the basis for the appeal and shall include evidence supplied by the appellant to support her/his contention.

4.6. Appeal Panel. - Licensure Appeal Panel.

4.7. Approved Program. - An educational preparation program based upon state adopted program objectives and other requirements which is delivered by an accredited college or university and which has the endorsement of the State Board.

4.8. Beginning Educator. - A classroom teacher with less than two years of experience.

4.9. Beginning Educator Internship. - A state sanctioned program of continuing professional development for classroom teachers designed to assist the educator during the first year or two of employment by providing a mentor to guide her/him during the transition to a new job assignment.

4.10. Board of Education. - A legally constituted entity including a county board of education, the West Virginia Schools for the Deaf and the Blind, West Virginia Department of Education, a regional education service agency or any non-public school or school system in West Virginia.

4.11. Conversion. - The process of an educator completing requirements to upgrade from the Provisional Professional Certificate valid for three years to the Professional Certificate valid for five years.

4.12. County Superintendent.- The chief administrative officer of a county board of education, the West Virginia Schools for the Deaf and the Blind, the West Virginia Department of Education, a regional education service agency or any non-public school or school system in West Virginia.

4.13. Day. - Calendar day.

4.14. Doctorate. - A doctor's degree from an accredited institution of higher education as defined in §126-136-4.2 approved to offer such degrees, which has been issued to, or for which the requirements have been met by, a person who qualifies for or holds a Professional Certificate or its equivalent.

4.15. Duplicate credit. - Credit which covers substantially the same content for which the person has received previous credit.

4.16. Educator. - Shall mean the same as "teacher" as defined in W.V. Code §18-1-1.

4.17. Endorsement. - The specialization(s) and grade levels appearing on any license which designate the program areas to which the holder can be legally assigned within the public schools of West Virginia.

4.18. Experience. - A professional assignment consistent with the endorsement(s) identified on the educator's license(s).

4.19. GED. - General Educational Development Certificate.

4.20. Graduate Credit. - Credit beyond the bachelor's level earned at an accredited institution of higher education as defined in §126-136-4.2 approved to offer graduate credit.

4.21. Hearing. - The part of a session devoted to the taking of evidence or presentation of argument during the Licensure Appeal Panel's adjudication of an appeal.

4.22. Higher Education Governing Boards. - The university system of West Virginia Board of Trustees and the Board of Directors of the state college system.

4.23. Institution of Higher Education. - An accredited college or university.

4.24. License. - The term used to designate any or all of the documents issued by the licensing agency to empower an individual to perform designated services within the public schools of West Virginia.

4.25. Licensing Agency. - West Virginia Department of Education.

4.26. Long-Term Substitute. - A licensed educator who temporarily replaces, for more than 30 instructional days, the person assigned to a position.

4.27. Management Level Experience. - Work experience in which an individual's assignment in the organization is designated as a position of authority with responsibility for regulating the relationships between and among people.

4.28. M.A. - A master's degree related to the public school program earned at an accredited institution of higher education as defined in §126-136-4.2 approved to offer graduate work, which has been issued to, or the requirements for which have been met, by a person who qualifies for or holds a Professional Certificate or its equivalent.

4.29. M.A. Plus 15. - A master's degree related to the public school program earned in an accredited institution of higher education as defined in §126-136-4.2 plus: 1) 15 semester hours of approved graduate course work from an accredited institution of higher education. This classification requires 45 semester hours including a master's degree.

4.30. M.A. Plus 30. - A master's degree related to the public school program earned in an accredited institution of higher education as defined in §126-136-4.2 plus: 1) 30 semester hours of approved graduate course work from an accredited institution of higher education. This classification requires 60 semester hours including a master's degree.

4.31. M.A. Plus 45. - A master's degree related to the public school program earned in an accredited institution of higher education as defined in §126-136-4.2 plus: 1) 45 semester hours of

approved graduate course work from an accredited institution of higher education. This classification requires 75 semester hours including a master's degree.

4.32. Mentor. - An experienced classroom teacher who is assigned to assist and support the beginning educator during the beginning educator internship .

4.33. One Year of Experience. - One year of experience for conversion purposes equals 133 paid days within one school year.

4.34. Performance Assessment. - The process whereby a cooperating public school educator and a higher education faculty member judge a prospective educator's ability to apply basic professional knowledge and skills in an educational setting using an approved instrument that incorporates State Board approved professional education standards.

4.35. Prerequisite Experience for Conversion. - An educator's paid professional assignment consistent with the endorsement(s) identified on the educator's Professional Certificate or permissible under these rules.

4.36. Professional Certificate or Its Equivalent. - The Professional Teaching Certificate, Professional Service Certificate, Professional Administrative Certificate, Vocational Certificate, Temporary Professional Teaching Certificate, Temporary Professional Service Certificate, Temporary Professional Administrative Certificate, Temporary Vocational Certificate or the Permanent Authorization for School Nurse.

4.37. Professional Commitment. - A written agreement signed by an educator with less than the Provisional Professional Certificate or Vocational Certificate to pursue certification in the endorsement area(s) in which he/she is employed.

4.38. Quarter Hour Conversion. - One quarter hour is equivalent to two-thirds of one semester hour.

4.39. Regionally Accredited Institution of Higher Education. - A college or university accredited by: 1) the official accrediting agency of the state in which the institution is located and 2) one of the six regional accrediting agencies recognized by the National Commission on Accrediting (Middle States, New England, Northwest, North Central, Southern and Western Associations) to award degrees at a stipulated level, i.e., bachelor's degree, master's degree and/or doctorate degree.

4.40. Renewal.- The extension of the license's validity period under conditions set forth in these rules.

4.41. Responding Party. - The licensing agency, a college or university, or other designated educational agency whose credential evaluation or interpretation of the licensure policy is contested by the appellant in an appeal pursuant to §126-136-26.10.

4.42. Review of the Record. - The process of adjudicating an appeal on the basis of the request for review, the response of the responding party, and any other documentation submitted by the parties, without resort to a hearing, and entry of a written decision based upon the law, regulations and record.

4.43. School Year. - July 1 through June 30.

4.44. Semester Hour of College Credit. - The unit of credit used for renewal of any license and/or advanced salary classifications.

4.45. Session. - A formal meeting of the Licensure Appeal Panel for the purpose of adjudicating one or more appeals by hearing or by review of the record, or for the purpose of conducting other business related to the functions of the Licensure Appeal Panel.

4.46. Short-Term Substitute. - A licensed educator who temporarily replaces, for 30 or fewer instructional days, the person assigned to that position.

4.47. Specialization. - The specific teaching, administrative or student support services assignment in which an individual may function legally within the public schools of West Virginia. Refer to Appendix A.

4.48. State Board . - West Virginia Board of Education.

4.49. Superintendent. - The chief administrative officer of a legally constituted entity including a county board of education, the West Virginia Schools for the Deaf and the Blind, West Virginia Department of Education, a regional education service agency or any non-public school or school system in West Virginia.

4.50. Teaching Experience. - Classroom teaching or student support services experience within the specialization(s) and grade levels reflected on the educator's license.

4.51. Validity Period. - The time period for which a license is valid as reflected by the effective and expiration dates.

4.52. Vocational B.A. Plus 15. - Completion of the course work for issuance of the Vocational Certificate plus: 1) 15 semester hours of approved undergraduate course work from a regionally accredited institution of higher education as defined in §126-136-4. 39.

4.53. Vocational M.A. - Completion of the course work for issuance of the Vocational Certificate plus: 1) 30 semester hours of approved undergraduate course work from a regionally accredited institution of higher education as defined in §126-136-4. 39.

4.54. Vocational M.A. Plus 15. - Completion of the course work for issuance of the Vocational Certificate plus: 1) 45 semester hours of approved undergraduate course work from a regionally accredited institution of higher education as defined in §126-136-4. 39.

4.55. Vocational M.A. Plus 30. - Completion of the course work for issuance of the Vocational Certificate plus: 1) 60 semester hours of approved undergraduate course work from a regionally accredited institution of higher education as defined in §126-136-4. 39. A vocational educator who holds a permanent Vocational Certificate and a bachelor's degree may qualify for the M.A. Plus 30 salary classification.

4.56. Vocational M.A. Plus 45. - Completion of the course work for issuance of the Vocational Certificate plus: 1) 75 semester hours of approved undergraduate course work from a regionally accredited institution of higher education as defined in §126-136-4. 39. A vocational educator who holds a permanent Vocational License and has completed a bachelor's degree plus 15 semester hours of graduate credit may qualify for the M.A. Plus 45 salary classification.

4.57. Warranty Retraining. - Additional schooling for a high school graduate who received a warranty but does not perform at the stated level of proficiency.

4.58. West Virginia Commission for Professional Teaching Standards. - The official body representative of the educational community that is responsible for 1) reviewing and recommending to the State Board standards for the licensure of educational personnel; 2) hearing appeals related to licensure; and 3) any other duties related to licensure as assigned by the State Board.

§126-136-5. Legal Bases for Licensure.

5.1. West Virginia Board of Education.

5.1.1. The education of professional educators in the state shall be under the general direction and control of the State Board (W.V. Code §18A-3-1).

5.1.2. The State Board, after consultation with the West Virginia Commission for Professional Teaching Standards, shall adopt standards for the education of professional educators in the state and for the awarding of licenses valid in the public schools of this state.

5.2. State Superintendent of Schools.

5.2.1. Issuance of Licenses. - In accordance with State Board rules for the education of professional educators, the state superintendent of schools may issue licenses valid in this state (W.V. Code §18A-3-2a).

5.2.2. Revocation of Licenses. - The state superintendent of schools may, after ten (10) days' notice and upon proper evidence, revoke the license(s) of any educator or

paraprofessional for drunkenness, untruthfulness, immorality, or for any physical, mental or moral defect which would render her/him unfit for the proper performance of her/his duties as an educator. The state superintendent of schools may revoke the license(s) of any professional educator who knowingly provides fraudulent information relative to another individual's teaching credentials (W. V. Code §18A-3-6).

5.2.3. Recall of Licenses. - If a license has been issued through an error, oversight or misinformation, the state superintendent of schools shall have the authority to recall the license and make such corrections as will conform to the requirements of law and State Board rules (W. V. Code §18A-3-6).

§126-136-6. Responsibilities in the Licensure Process.

6.1. There are certain underlying principles applicable to all individuals involved in the licensure process.

6.1.1. Educator. - The educator shall:

a. Familiarize Her/Himself with Licensure Requirements. - Every educator is responsible for familiarizing her/himself with the West Virginia licensure and salary classification requirements and for making application for any licensure/salary classification to which he/she is entitled. It is the educator's responsibility to ensure that he/she holds a license valid for her/his assignment.

b. Consult with County Superintendent or Professional Designee. - Each employed educator shall select, in consultation with the county superintendent or professional designee, the college/university course work most appropriate to her/his current or anticipated assignment and long-range professional development plan. An educator who is not employed in West Virginia but who taught or resides in this state and wishes to renew her/his West Virginia Professional Certificate(s) must consult with the county superintendent in the county in which he/she last taught or resides (W.V. Code §18A-3-3). The county superintendent or professional designee shall approve the college/university course work to be used for renewal. Failure to secure prior approval from the county superintendent or professional designee may result in the denial of the use of certain course work for the purposes of renewal.

c. Consult with Licensing Agency. - An educator who is not employed as an educator in West Virginia and has never taught or resided in West Virginia but desires to renew license shall select, in consultation with the licensing agency staff, the college/university course work most appropriate to her/his anticipated assignment and long-range professional development plan. Failure to secure prior approval from the licensing agency may result in the denial of the use of certain college/university course work for the purposes of renewal. The state superintendent shall recommend the applicant for renewal of her/his Professional Certificate.

d. Completion of Renewal Credit. - The educator is encouraged to complete the college/university course work for the renewal of the Professional Certificate one year prior to the expiration date of the certificate being renewed.

6.1.2. County Superintendent. - The county superintendent shall:

a. Counsel Employees. - The county superintendent or professional designee is encouraged to advise employed educators regarding licensure requirements and to inform each educator concerning her/his professional responsibility for maintenance of her/his license, additional endorsements and/or advanced salary classifications, including the procedures by which these processes are completed. County superintendents are encouraged to notify employees at least one year in advance of the date the employees' license(s) must be renewed.

b. Approve Renewal Credit. - The county superintendent or professional designee shall approve appropriate college/university course work for renewal purposes.

c. Recommend for Licensure. - The county superintendent shall recommend the issuance and renewal of all licenses, as noted, for educators employed by the board of education.

d. Report Immorality and Neglect of Duty. - Any county superintendent who knows of any immorality or neglect of duty on the part of a licensed educator or paraprofessional shall report the same, together with all the facts and evidence, to the licensing agency for appropriate action (W.V. Code §18A-3-6).

e. Employ and Assign Personnel. - The county superintendent shall recommend to the board of education the most qualified applicant for each instructional, student support services and administrative position (W.V. Code §18A-4-7a). In addition, the county superintendent shall ensure that each educator and paraprofessional holds appropriate licensure for her/his assignment within the first three months of such employment. If an educator or paraprofessional is employed in good faith on the anticipation that he/she is eligible for a license and it is later determined that the educator or paraprofessional was not eligible, the county superintendent shall be authorized to pay the educator or paraprofessional for a time not exceeding three school months or the date of notification of the ineligibility, whichever shall occur first (W.V. Code §18A-3-2).

6.1.3. Licensing Agency. - The licensing agency shall:

a. Notify Applicant of Approval or Denial of Application for Licensure. - The licensing agency shall notify, in writing, each applicant regarding the approval or denial of her/his application for licensure or salary classification.

b. Provide Technical Assistance. - The licensing agency shall provide technical assistance to individuals, boards of education and other agencies in understanding and implementing the licensure process.

c. Maintain Records. - The licensing agency serves as the repository for all licensure records, documents, and related materials. Applications, transcripts, fees, and other

documents submitted for the issuance or maintenance of a license become the property of the licensing agency.

d. Waive Requirements. - The state superintendent of schools shall have the authority to waive licensure requirements in a situation where he/she judges, after thorough investigation, that the applicant's knowledge, preparation and/or experience are adequate to justify such waiver. Upon receipt of notification that a license has been denied by the licensing agency, the applicant may request a waiver from the state superintendent or file an appeal with the Licensure Appeal Panel. If the applicant chooses to request a waiver from the state superintendent, the applicant's written request for the waiver must justify why the waiver should be granted. The state superintendent of schools must state, in writing, the reason(s) for granting or denying such waiver with a copy to be maintained in the applicant's records and a copy to be forwarded to the West Virginia Commission for Professional Teaching Standards at its next regularly scheduled meeting.

6.1.4. Licensure Appeal Panel. - The Licensure Appeal Panel is established to allow an objective review of issues and decisions on interpretation of regulations related to an individual's application for licensure. An appeal shall be filed pursuant to the procedures outlined in §126-136-26.

§126-136-7. Authorized Licenses, Specializations, and Programmatic Levels.

7.1. Categories of Licenses.

7.1.1. West Virginia issues seven categories of licenses to professional personnel: a) Professional Certificate; b) Temporary Certificate; c) Vocational Certificate; d) Temporary Vocational Certificate, e) Permit; f) Adult License and g) Authorization. One category of license, the Paraprofessional Certificate, is granted to service personnel.

7.2. Licenses for Professional Educators.

7.2.1. Professional Certificate. - The Professional Certificate may be issued to an individual who meets prescribed experience and/or academic and professional standards and who has been assessed as competent to assume a role in public education in keeping with the specialization(s) and grade levels designated on this license. A Professional Certificate may be issued in teaching, student support services, or administrative specializations.

7.2.2. Temporary Certificate. - The Temporary Certificate may be issued to an individual who meets prescribed experience and/or academic and professional standards for the Professional Certificate but has not met the citizenship and/or testing requirements prescribed for issuance of the Professional Certificate. A Temporary Certificate may be issued in teaching, student support services or administrative specializations.

7.2.3. Vocational Certificate. - The Vocational Certificate may be issued to an individual who has acquired prescribed vocational and/or technical skills through specific wage-earning experience and/or training and who has been assessed as competent to assume a role in public education in keeping with the specialization(s) and grade levels designated on this license. The Vocational Certificate is equivalent to the Professional Certificate for salary purposes.

7.2.4. Temporary Vocational Certificate. - The Temporary Vocational Certificate may be issued to an individual who meets prescribed experience but has not met the citizenship and/or testing requirements prescribed for issuance of the Vocational Certificate.

7.2.5. Permit. - The Permit may be issued to an individual who does not meet the requirements for the Professional or Vocational Certificate but who has been determined by the county superintendent to be the most qualified applicant for the position.

7.2.6. Adult License. - The Adult License may be issued to an individual who meets prescribed experience and/or academic standards for teaching adults in the specialization(s) designated on the license.

7.2.7. Authorization. - The Authorization may be issued under criteria established by the State Board to an individual who does not meet criteria for any of the above licenses or who is assigned to a position for which a specialization on the Professional or Vocational Certificate does not exist.

7.3. Licenses for Service Personnel.

7.3.1. Paraprofessional Certificate. - The Paraprofessional Certificate may be issued to an individual who meets prescribed academic or equivalent standards and/or experience to work in a support capacity to assist in the facilitation of instruction and supervision of pupils while under the direction of a professional educator. An educator who holds a valid Professional Certificate who is employed as a paraprofessional does not need to hold a Paraprofessional Certificate.

7.4. Specializations.

7.4.1. Approved specializations for which licenses may be issued are found in Appendix A.

7.5. Approved Grade Levels.

7.5.1. Grade levels on a license shall relate to approved public school programs and shall be issued at the Preschool (PreK-K), Early Childhood (K-4), Middle Childhood (5-9), Adolescent (9-12), and Adult levels and combinations thereof. Elementary education may be issued at the K-6 level.

7.5.2. Grade levels reflected on licenses previously issued by the licensing agency shall remain valid.

7.6. Salary Classifications.

7.6.1. The holder of a Professional Certificate, Temporary Certificate, Vocational Certificate, Temporary Vocational Certificate or previously issued Permanent Authorization endorsed for school nurse may receive a salary classification at the bachelor's, bachelor's plus 15, master's, master's plus 15, master's plus 30, master's plus 45, or doctorate level provided the college/university course work used for the salary classification is in accordance with school law and the regulations of the State Board.

§126-136-8. Dating of Licenses, Additional Endorsements, Advanced Degrees and Advanced Salary Classifications.

8.1. Dating of Licenses, Additional Endorsements, Advanced Degrees and Advanced Salary Classifications.- The effective date of the license, additional endorsement, advanced degree or advanced salary classification shall be the date of the applicant's eligibility provided the application is received by the licensing agency within three months of the date of eligibility. When the application is received by the licensing agency more than three months after the date of the applicant's eligibility, the effective date shall be no more than three months prior to the date the application is received by the licensing agency except that such applications received in July, August and September shall not be dated prior to July 1 of the current school year.

8.2. Expiration Date. - All licenses which reflect an expiration date shall expire June 30 of the last year of their validity irrespective of the date of issuance (W.V. Code §18A-3-2).

126-136-9. Assignment of Professional Personnel.

9.1. Educator. - An educator who is employed within the public school system of the state shall hold a valid license for the specializations and grade levels to which he/she is assigned (W.V. Code §18A-3-2).

9.2. Assignment One Grade Above or Below. - Effective July 1, 1998, professional personnel newly assigned to a position will not be allowed to teach one grade level above or below the grade levels reflected on their license. However, an educator currently assigned to teach within the specialization(s) reflected on her/his license who is assigned one grade above or below the grade levels reflected for that specialization shall be issued, upon recommendation from the county superintendent, an Authorization to continue to teach at that grade level. The Authorization is valid only within the county from which the recommendation was issued.

9.3. Adult Programs. - An educator working in a program for adults who are seeking a high school diploma or warranty retraining must hold a valid license for a like assignment in a public school adolescent education program.

9.4. Home/Hospital Instruction. - An educator providing temporary home teaching or visiting teacher services, whether regular and/or special education, must hold a teaching license with an endorsement appropriate to the grade level of instruction.

9.5. Special Education Program: Out-of-School Environment.- An educator providing home teaching or visiting teacher services to eligible special education students in an Out-of-School Environment placement alternative as identified in the student's Individualized Education Program must hold a valid license with an endorsement appropriate for the exceptionality of the student(s) being served.

9.6. Special Education. - Effective July 1, 1999, personnel newly assigned to a position working with special education students may: 1) deliver the instructional goals and objectives in any general or vocational specialization for which they hold licensure; or 2) deliver the instructional goals and objectives to those special education students who are not included in the regular classroom provided that the special education teacher collaborates with an educator licensed in the general or vocational specialization for which instruction is provided; or 3) collaborate with the general or vocational teacher when special education students are included in the regular classroom.

9.7. Curriculum Enrichment. - An individual may provide, by reason of educational or practical background and employment records, curriculum enrichment on a part-time or temporary basis in highly specialized areas. These program areas include the performing arts, professions, and vocational specializations. The board of education may utilize such personnel in accordance with a locally adopted policy provided such personnel do not replace a licensed educator.

9.8. Assignment of Elementary or Multisubjects Teachers. -Effective July 1, 1998, personnel licensed for elementary education or multisubjects may not be newly assigned to teach specific content specializations (e.g., mathematics, English language arts, music) in a departmentalized seventh or eighth grade unless the educator holds appropriate licensure to teach the content specialization or exhibits subject matter competence to deliver the instructional goals and objectives approved by the State Board. The educator who exhibits subject matter competence shall be issued, upon recommendation from the county superintendent, an Authorization to continue to teach this specialization. In addition, an educator who is currently assigned to teach a single subject within the elementary curriculum based on a previous State Board policy shall be issued, upon recommendation from the county superintendent, an Authorization to continue to teach this specialization. In both cases, the Authorization is valid only within the county from which the recommendation was issued.

9.9. Assignment of Long-Term Substitutes. - A substitute who fills a position for more than 30 days (long-term) is required to hold a license with an endorsement appropriate for the assignment. A county superintendent who is unable to staff a long-term substitute position with a qualified educator shall seek approval from the local board of education to request a waiver from the state superintendent of schools. The written waiver request must indicate the efforts that were made to employ a fully qualified candidate. The state superintendent of schools may grant the

waiver if the circumstances warrant such approval. However, the county superintendent must continue to seek the services of an educator with the appropriate endorsement(s) and place this individual in the position at a time determined to be in the best interest of the students.

9.10. Assignment of Short-Term Substitutes. - A substitute who fills a position for 30 days or less (short-term) may substitute in a specialization not reflected on the license.

9.11. Contracted or RESA Services. - An educator providing contracted services or services through a Regional Education Service Agency (RESA) must hold the same licensure required for an educator employed by a board of education.

§126.136.10. Out-of-State Applicants.

10.1. Interstate Contract Concerning Qualifications of Educational Personnel. - West Virginia is a member of the Interstate Contract Administrators Association which promotes the mobility of educators across state and national lines. Although West Virginia has entered into contracts with selected states for teaching, student support services, administrative and vocational personnel, ancillary requirements established by the licensing agency must be met by any individual seeking licensure in West Virginia. Ancillary requirements are defined in §126-136-4. 4.

10.2. Recognition of Out-of-State Licenses. - West Virginia will issue a Professional or Vocational Certificate to an eligible applicant who holds an out-of-state license equivalent to the Professional or Vocational Certificate or to an eligible applicant who has completed an out-of-state approved program only when the level of training and the scope of the content covered by the specialization on the out-of-state license are equivalent to the West Virginia specialization and grade levels (e.g., history does not equal social studies). Until the current system of separate special education endorsements for behavior disorders, mentally impaired and specific learning disabilities is replaced by a multi-categorical endorsement, an individual who completed a state approved multi- or non-categorical special education program at an accredited out-of-state institution of higher education as defined in §126-136-4.2 shall receive the categorical special education endorsement(s) in the handicapping conditions covered by the multi- or non-categorical specialization provided the applicant meets all other requirements and documents a performance assessment or one year of experience in each of the areas covered by the multi- or non-categorical specialization. However, endorsements in mentally impaired-mild/moderate, behavior disorders and specific learning disabilities may be granted on the West Virginia certificate provided all three areas are covered by the multi- or non-categorical specialization and the applicant documents a performance assessment or one year of experience in any one of these areas. An endorsement for severe/profoundly handicapped or preschool handicapped requires documentation of a performance assessment or one year of experience in the specialization for which licensure is requested.

10.3. Testing for Applicants Who Completed an Out-of-State Approved Program or Who Are Seeking West Virginia Licensure Via the Experienced Educator Provisions. - See §126-136-14.1.3e. Required test scores are identified in Appendix B.

§126.136.11. Tuition Reimbursement for Educators.

11.1. General Criteria. - An educator may apply for tuition reimbursement provided he/she: 1) is employed on a continuing contract and in a public school in West Virginia; 2) has a license which needs to be renewed; 3) has completed appropriate college/university course work for the renewal of the license; and 4) applies for reimbursement no later than July 15 of the school year immediately following the school year in which the course work was completed. Educators are encouraged to apply upon the completion of the course work due to the limited funds available for tuition reimbursement.

11.2. Limitations. - Only the cost for tuition of college/university credit used for the renewal of a license may be reimbursed. Reimbursement for an educator who attends an out-of-state institution of higher education may not exceed the amount of the highest corresponding fee charged at a West Virginia state-supported college or university. Each educator is limited to reimbursement for a maximum of six semester hours of credit for the renewal of any one license and a total of fifteen semester hours for each educator. Funds for reimbursement are subject to an annual allocation by the West Virginia Department of Education. Individuals are reimbursed on a first come, first served basis.

§126-136-12. Recognition of Degrees and Course Work for Licensure, Renewal and Advanced Salary Classifications.

12.1. Bachelor's Degree. - Only a bachelor's degree earned from an accredited institution of higher education, as defined in §126-136-4.2, approved to offer a bachelor's degree may be recognized for licensure and salary purposes.

12.2. Master's Degree. - Only a master's degree earned in an accredited institution of higher education, as defined in §126-136-4.2, approved to offer a master's degree and in a curriculum related to the public school program may be recognized for licensure and salary purposes (W.V. Code §§18A-3-3 and 18A-4-1).

12.3. Doctorate. - Only a doctorate earned in an accredited institution of higher education, as defined in §126-136-4.2, approved to offer a doctorate and in a curriculum related to the public school program may be recognized for licensure and salary purposes (W.V. Code §18A-4-1).

12.4. Degrees and Course Work from Unaccredited Colleges. - Degrees and/or course work from unaccredited institutions of higher education are not recognized for licensure or salary purposes. An applicant who completed a state approved program through an unaccredited college must complete appropriate degree requirements from an accredited college before licensure may be granted.

12.5. Recognition of College Credit for Renewal and Salary Purposes. - Only unduplicated course work related to the public school program as defined in §126-136-12.6 completed through

an accredited institution of higher education, as defined in §126-136-4.2, and subsequent to the issuance of the license being renewed and within the five year period immediately preceding the date of application may be used for renewal of a license. Only unduplicated course work from an accredited institution of higher education related to the public school program may be used for an advanced salary classification.

12.6. Related to the Public School Program. - For purposes of renewal and advanced salary classifications, "related to the public school program" shall mean: 1) any course offering included in a degree program in the field of education; 2) content and/or professional education course work related to current licensure; 3) content and/or professional education course work required for an additional endorsement; 4) professional development/special topics course work approved by the licensing agency; 5) course work identified in the personnel evaluation process; 6) course work related to technology for education; and/or 7) course work related to the mission and goals of the State Board and/or the school organization.

§126-136-13. Common Licensure Requirements.

13.1. General Requirements. - A license to work in the public schools of West Virginia may be granted to an applicant who is: 1) a United States citizen, 2) of good moral character, 3) physically, mentally and emotionally qualified to perform the duties to which he/she is assigned, and 4) has attained the age of eighteen years on or before the first day of October of the year in which the license is issued (W.V. Code §18A-3-2a).

13.2. Grade Point Average.

13.2.1. For Issuance of an Original License. - A minimum overall grade point average of 2.5 for all college/university course work attempted is required for issuance of any license. The scholastic requirements shall be computed using the 4.0 scale including the discretionary academic forgiveness provisions approved by the higher education governing boards. If the institution of higher education requires a grade point average that exceeds the state minimum of 2.5, the grade point average specified by the college or university shall supersede the state minimum.

13.2.2. For Issuance of Additional Endorsements. - For an individual who already holds a West Virginia Professional Certificate, the 2.5 grade point average will be required only in the area(s) for which additional licensure is being requested. All required and elective courses completed for the endorsement shall be used in computing the grade point average regardless of the date of completion. If the institution of higher education's approved program requires a grade point average that exceeds the state minimum of 2.5 for the new endorsement, the grade point average specified by the college or university shall supersede the state minimum.

13.2.3. For Extension of Grade Levels on an Existing Endorsement. - The applicant shall include only those courses taken after July 1, 1994 to satisfy the 2.5 grade point average.

13.2.4. For Renewal of a License. - College/university credit completed for the renewal of a license must reflect a 3.0 grade point average.

13.3. Beginning Educator Internship. - An educator who receives her/his Professional Teaching Certificate after January 1, 1992 must successfully complete the Beginning Educator Internship. An educator who has successfully completed five years of out-of-state teaching experience is exempt from completing the Beginning Educator Internship.

13.4. Licensure and Related Fees. - A non-refundable processing fee, established by the State Board, shall be charged for all applications and requests for copies of records.

§126-136-14. Professional Teaching Certificate or Professional Service Certificate.

14.1. Provisional Professional Teaching Certificate or Provisional Professional Service Certificate.

14.1.1. General Criteria. - A Provisional Professional Teaching Certificate or Service Certificate may be issued to a person who has completed: 1) the minimum degree specified in Appendix A through an accredited institution of higher education as defined in §126-136-4.2; 2) the general requirements specified in §12-136-13.1; 3) the minimum grade point average specified in §126-136-13.2; 4) the tests specified in §126-136-14.1.3e; and 5) the conditions for issuance identified in §126-136-14.1.3. A Provisional Professional Certificate may be issued in the teaching or student support services specializations identified in Appendix A. The Provisional Professional Teaching or Service Certificate shall be endorsed to indicate the specialization(s) and grade levels in which the holder can be legally assigned within the public schools.

14.1.2. Validity Period. - The Provisional Professional Teaching or Service Certificate shall be valid for three school years and shall expire on June 30 of the last year of its validity. An educator who graduates in December or whose Professional Certificate is effective on or after January 1 may be issued a Provisional Professional Certificate valid for a maximum of 3 ½ years.

14.1.3. Conditions for Issuance. - The applicant for a Provisional Professional Teaching or Service Certificate must submit evidence of satisfying the following:

a. Completion of an Institution of Higher Education's State Approved Program.- Successful completion of an accredited institution of higher education's state-approved program and the recommendation of the designated official at the college or university through which the program was completed. An applicant who completed the approved program through an accredited college or university outside of West Virginia may present a photocopy of the valid out-of-state Professional Certificate or a letter of eligibility from the other state's licensing agency in lieu of the college or university recommendation; **OR**

b. Successful Educational Experience. - Three years of successful out-of-state experience as an educator within the seven years immediately preceding the date of application and a valid out-of-state Professional Certificate. The experience for each specialization requested must have been on at least a one-half time basis. Both the out-of-state Professional Certificate and the experience must be in the specialization(s) for which West Virginia licensure is requested; **OR**

c. Alternative Program for the Education of Teachers (APET). - Successful completion of a state approved APET program as specified in WV 126CSR161, Policy 5901, and the recommendation of the designated official (W. V. Code §18A-3-1a); **OR**

d. Alternative Delivery Program by an Institution(s) of Higher Education. - Holds a minimum of a bachelor's degree in a content area related to the K-12, 5-12, or 9-12 specialization for which licensure is requested and successfully completes a state approved alternative delivery program that incorporates the preprofessional skills, content and professional education standards approved by the State Board (See WV 126CSR114 Policy 5100). The program may be developed and/or delivered by an institution of higher education or a consortium of institutions;

AND

e. State Board Adopted Tests. - Unless identified as an exemption in §126-136-14.1.3. e.D, an educator must satisfy the minimum proficiency levels identified in Appendix B, as adopted by the State Board , in:

A. Pre-professional Skills. - Praxis I-Pre-Professional Skills Tests in reading, writing and mathematics; **AND**

B. Content Specialization(s). - Praxis II-Content Specialization Test(s) for each specialization for which licensure is requested, if a test is required; **AND**

C. Professional Education. - Principles of Learning and Teaching Praxis Test that includes at least a portion of the grade levels indicated on the anticipated license. This test is required for educators completing a West Virginia state approved program after September 1, 1997 and any educator from out-of-state whose application for West Virginia licensure is received by the licensing agency on or after September 1, 1997.

D. Exemptions. - An individual who holds certification through the National Board for Professional Teaching Standards is not required to pass any of the required tests. An individual who holds or has held a West Virginia Professional Certificate, or who holds a terminal degree from an accredited institution of higher education or who attained, from a single administration, a composite score of 25 on the American College Test (ACT), 26 on the ACT enhanced (effective November 1989), 1035 on the Scholastic Achievement Test (SAT) or 1125 on the recentered SAT (effective April 1995) is exempt from the Pre-Professional Skills Tests. The

Professional Education Test is not required for an educator seeking West Virginia licensure in a student support services or administrative specialization.

E. Validity of Test Scores. - If the State Board has not established a new score or adopted new test components, an applicant's score will remain valid for licensure purposes for no longer than ten years. If the State Board has established a new score or has adopted new test components, the applicant who acquired a passing score at the time he/she took the test(s) may use that score for licensure purposes provided the score is not more than five years old at the time the educator files for West Virginia licensure.

14.2. Renewal of the Provisional Professional Teaching Certificate or Provisional Professional Service Certificate. - The applicant for licensure must submit evidence of satisfying the following:

14.2.1. College/University Course Work. - Six semester hours of appropriate college/university course work related to the public school program as defined in §126-136-12.6. The course work must reflect a 3.0 grade point average and must have been completed subsequent to the issuance of the certificate being renewed and within the five year period immediately preceding the date of application; **OR**

14.2.2. MA + 30 Salary Classification. - Hold a minimum of a master's plus 30 salary classification based on the awarding of a master's degree; **OR**

14.2.3. Age Sixty. - Has reached 60 years of age and presents a photocopy of the birth certificate.

AND

14.2.4. Recommendation of Superintendent. - Receive the recommendation of the West Virginia county superintendent in the county in which the educator teaches, last taught or resides. An educator who has never taught in West Virginia and who does not reside in this state must receive the recommendation of the state superintendent of schools.

14.3. Conversion of the Provisional Professional Teaching Certificate or Provisional Professional Service Certificate to the Professional Teaching Certificate or Professional Service Certificate Valid for Five Years. - The applicant for licensure must submit evidence of satisfying the following:

14.3.1. Beginning Educator Internship. - Successful completion of the Beginning Educator Internship for classroom teachers, as specified in §126-136-13.3, if applicable; **AND**

14.3.2. College/University Course Work. - Six semester hours of appropriate college/university course work reflecting a 3.0 grade point average and related to the public school program as defined in §126-136-12.6 unless the applicant holds a minimum of a MA + 30 salary classification based on the awarding of a master's degree. The course work for conversion must

have been completed subsequent to the issuance of the certificate being converted and within the five year period immediately preceding the date of application; **AND**

14.3.3. Experience. - Two years of experience, one of which must be completed in West Virginia, within one or a combination of the endorsements on the Provisional Professional Certificate; **AND**

14.3.4. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the educator teaches or last taught.

14.3.5. Validity Period. - The Professional Teaching or Professional Service Certificate valid for five years shall expire on June 30 of the last year of its validity. No Professional Teaching or Service Certificate shall be valid for more than five years.

14.4. Permanent Professional Teaching Certificate or Professional Service Certificate. - The applicant for licensure must submit evidence of satisfying the following:

14.4.1. Five Year Certificate. - Hold or be eligible for the Professional Teaching or Service Certificate valid for five years; **AND**

14.4.2. Master's Degree. - Hold a master's degree related to the public school program as defined in §126-136-12.6; **AND**

14.4.3. Experience. - Complete five years of educational experience including two within the specialization(s) for which the permanent certificate is requested; **OR**

14.4.4. Five Year Certificate. - Hold a Professional Teaching or Service Certificate valid for five years; **AND**

14.4.5. Two Renewals. - Renew the Professional Teaching or Service Certificate valid for five years two times based on: 1) six semester hours of appropriate renewal credit reflecting a 3.0 grade point average; or 2) a minimum of a MA + 30 salary classification based on the awarding of a master's degree; or 3) age sixty.

AND

14.4.6. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the educator teaches or last taught.

14.4.7. Validity Period. - The Permanent Professional Teaching or Service Certificate shall remain valid unless revoked for just cause.

14.5. Temporary Teaching or Service Certificate.

14.5.1. General Criteria. - A Temporary Teaching or Service Certificate may be issued to a person who has completed: 1) the minimum degree specified in Appendix A through an accredited college or university as defined in §126-136-4.2 or an equivalent degree through a college or university in a foreign country; 2) the general requirements, with the exception of citizenship, specified in §126.136-13.1; 3) the minimum grade point average specified in §126-136-13.2; and 4) the conditions for issuance identified in §126-136-14.5.3. A Temporary Certificate may be issued in the teaching or student support services specializations identified in Appendix A. The Temporary Certificate shall be endorsed to indicate the specialization(s) and grade levels in which the holder can be legally assigned within the public schools. Experience gained on the Temporary Certificate may be used for conversion purposes.

14.5.2. Validity Period. - The Temporary Teaching or Service Certificate shall be valid for one school year and shall expire on June 30. An educator who graduates in December or whose Temporary Certificate is effective on or after January 1 may be issued a Temporary Certificate valid until June 30 of the following school year.

14.5.3. Conditions for Issuance.- The applicant for the Temporary Certificate must submit evidence of satisfying the following:

a. Out-of-State Approved Program. - Successful completion of an out-of-state accredited institution of higher education's state approved program with the exception of the required tests in Pre-Professional Skills, Content and/or Professional Education; **OR**

b. Out-of-State Experience. - Three years of successful out-of-state experience as an educator within the seven years immediately preceding the date of application and a valid out-of-state Professional Certificate in the area for which West Virginia licensure is requested, with the exception of the required tests in Pre-Professional Skills, Content and/or Professional Education; **OR**

c. Foreign Credentials. - Verification by a recognized foreign credential evaluating agency that the applicant has completed the equivalent of an approved educational preparation program in the United States and in a specialization offered in West Virginia, with or without the required tests in Pre-Professional Skills, Content and/or Professional Education.

14.5.4. Renewal of the Temporary Certificate.

a. For the Applicant Lacking Only Tests in Pre-Professional Skills, Content and/or Professional Education. - The Temporary Certificate granted to an individual who is lacking only the required test(s) in Preprofessional Skills, Content and/or Professional Education may not be renewed. The applicant must pass all required tests and upgrade the Temporary Certificate to the Provisional Professional Certificate, the Professional Certificate valid for five years or the Permanent Professional Certificate, whichever is applicable. The required test scores are identified in Appendix B.

b. For the Non-Citizen. - An applicant who is lacking only United States citizenship may renew the Temporary Certificate two times without completing additional requirements. Every third renewal shall require six semester hours of appropriate college/university course work related to the public school program completed subsequent to the issuance of the Temporary Certificate being renewed and within the five year period immediately preceding the date of application for the renewal of such certificate unless the applicant holds a minimum of a MA + 30 salary classification based on the awarding of a master's degree . Upon acquisition of U.S. citizenship, the applicant may apply for the Provisional Professional Certificate or the Professional Certificate, whichever is applicable.

c. For the Non-Citizen Lacking Tests. - The first renewal of the Temporary Certificate for the applicant who is lacking United States citizenship and the required tests in Pre-Professional Skills, Content and/or Professional Education shall require passage of all required tests. The required scores are identified in Appendix B. The applicant shall then follow the renewal provisions stipulated in §126-136-14.5.4.b.

§126-136-15. Full-Time Permits for Teaching and Student Support Services.

15.1. Issuance of the Initial Full-Time Permit.

15.1.1. General Criteria. - The initial Full-Time Permit endorsed for any specialization recognized on the Professional Teaching or Service Certificate may be granted to an individual employed for a specific assignment who has completed: 1) a minimum of a bachelor's degree through an accredited institution of higher education as defined in §126-136-4.2; 2) the general requirements specified in §126-136-13.1; 3) the minimum grade point average specified in §126-136-13.2; and 4) the conditions for issuance specified in §126-136-15.1.3.

15.1.2. Validity Period. - The Full-Time Permit shall be valid for one school year and shall expire on June 30. An educator employed on or after January 1 may be issued a Permit valid until June 30 of the following school year.

15.1.3. Conditions for Issuance. - The applicant for the Full-Time Permit must submit evidence of satisfying the following:

a. College/University Course Work. - Verification by the designated official at the institution of higher education through which the program is being completed that the applicant has completed 25% or six semester hours, whichever is greater, of the state approved program in the specialization(s) for which the permit is requested; **AND**

b. Professional Commitment. - Submission of the Professional Commitment verifying the applicant's enrollment in the state approved program; **AND**

c. **Beginning Educator Internship.** - Verification by the county superintendent that the educator is enrolled in the Beginning Educator Internship for classroom teachers , if applicable; **AND**

d. **Recommendation of Superintendent.** - Receive the recommendation of the county superintendent verifying that the applicant is the most qualified candidate for the position.

e. **Five Year Limit.** - All requirements for the Professional Teaching or Service Certificate must be completed within five years of the original issuance of the Full-Time Permit. The position held by an educator issued a Full-Time Permit is not subject to posting provided the educator meets the annual renewal requirements specified in §126-136-15.2 and completes the state approved program within five years.

15.1.4. **Exception for a School Nurse.** - A school nurse who is employed on a Full-Time Permit is not required to have a minimum of a bachelor's degree for issuance of the original permit. Evidence of a valid registered nurse license issued by the West Virginia Board of Examiners is required.

15.2. Renewal of the Full-Time Permit.

15.2.1. **Conditions for Issuance.** - The holder of a Full-Time Permit who continues to be employed in the specialization(s) reflected on the permit must submit evidence of satisfying the following:

a. **Pre-Professional Skills Tests.** - The first renewal of the Permit requires passage of the Pre-Professional Skills Tests in reading, writing and mathematics as identified in Appendix B, unless the applicant meets one of the exemptions identified in §126-136-14.1.3. e.D; **AND**

b. **College/University Course Work.** - Completion of six semester hours of college/university credit reflecting a 3.0 grade point average within the institution of higher education's state approved program in any or a combination of the specializations for which the permit is issued; **AND**

c. **Beginning Educator Internship Program.** - Verification by the county superintendent that the educator has successfully completed the Beginning Educator Internship for classroom teachers, if applicable; **AND**

d. **Recommendation of Institution of Higher Education.** - Verification by the designated official at the college or university through which the program is being completed that the course work completed is part of the state approved program; **AND**

e. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is employed.

15.3. Extension of the Full-Time Permit for Extenuating Circumstances.

15.3.1. A county superintendent may request, in writing to the state superintendent of schools, an extension of the Full-Time Permit for an employee who meets one of the three circumstances identified below.

The state superintendent of schools shall render a decision; however, the permit may not be extended beyond one school year or more than once.

15.3.2. Extenuating Circumstances for Which the Full-Time Permit Can Be Extended.

a. Unavailability of Course Work. - The county superintendent shall submit verification from the designated official at the college or university through which the applicant is completing the state approved program that no required course work was available during the school year; **OR**

b. Illness/Death. - The county superintendent shall submit the applicant's description of how a major illness of the applicant or illness/death of an immediate family member prevented the educator from completing the required course work; **OR**

c. Hardship. - The county superintendent shall submit the applicant's description of how a major hardship other than illness prevented the applicant from completing the required course work.

§126-136-16. Substitute Permits for Teaching and Student Support Services.

16.1. Initial Substitute Permit.

16.1.1. General Criteria. - The initial Substitute Permit endorsed for any specialization recognized on the Professional Teaching or Service Certificate may be granted to an individual who is temporarily replacing the educator assigned to a specific position and who has completed: 1) a minimum of a bachelor's degree through an accredited institution of higher education as defined in §126-136-4.2; 2) the general requirements specified in §126-136-13.1; 3) the minimum grade point average specified in §126-136-13.2; and 4) the conditions for issuance specified in §126-136-16.1.3.

16.1.2. Validity Period. - The Substitute Permit shall be valid for no longer than three years and shall expire on June 30 of the last year of its validity.

16.1.3. Conditions for Issuance. - The applicant for the Substitute Permit must submit evidence of satisfying the following:

a. Professional Certificate. - Holds an expired West Virginia Professional Certificate or a valid or expired out-of-state Professional Certificate endorsed for the specialization(s) consistent with the specialization for which the Substitute Permit is requested; **OR**

b. College/University Course Work. - Verification by the designated official at the college or university through which the program is being completed that the applicant has completed 25% or six semester hours, whichever is greater, of the state approved program in the specialization(s) for which the Substitute Permit is requested; **AND**

c. Professional Commitment. - Submit the Professional Commitment verifying the applicant's enrollment in the institution of higher education's state approved program; **AND**

d. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is employed.

16.1.4. Existing Substitute Permits. - Any Substitute Permit issued under previous regulations shall be renewable provided the educator completes the renewal requirements identified in §126-136-16.2.

16.2. Renewal of the Substitute Permit.

16.2.1. Conditions for Issuance. - The holder of a Substitute Permit must submit evidence of satisfying the following:

a. Pre-Professional Skills Tests. - The first renewal of the Substitute Permit requires passage of the Pre-Professional Skills Tests in reading, writing, and mathematics identified in Appendix B, unless the applicant meets one of the exemptions identified in §126-136-14.1.3. e.D; **AND**

b. College/University Course Work. - Verification by the designated official at the college or university through which the program is being completed that the applicant has completed six semester hours of college/university credit reflecting a 3.0 grade point average within the institution of higher education's state approved program in any or a combination of the specializations for which the permit is issued; **AND**

c. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is employed.

126-136-17. Professional Administrative Certificate.

17.1. Provisional Professional Administrative Certificate.

17.1.1. General Criteria. - A Provisional Professional Administrative Certificate may be issued to a person who has completed: 1) the minimum degree specified in Appendix A through an accredited institution of higher education as defined in §126-136-4.2; 2) the general requirements specified in §126-136-13.1; 3) the minimum grade point average specified in §126-136-13.2; 4) three years of management experience; 5) education and training in evaluation skills offered through the Center for Professional Development or equivalent training approved by the State Board; and 6) the conditions for issuance identified in §126-136-17.1.3. The Provisional Professional Administrative Certificate shall be endorsed for Superintendent, Principal, Supervisor of Instruction or Vocational Administrator and shall indicate the specialization(s) and grade levels in which the holder can be legally assigned within the public schools.

17.1.2. Validity Period. - The Provisional Professional Administrative Certificate shall be valid for no more than five school years and shall expire on June 30 of the last year of its validity.

17.1.3. Conditions for Issuance. - The applicant for licensure must submit evidence of satisfying the following:

a. State Approved Program. - Successful completion of an institution of higher education's state approved program and the recommendation of the designated official at the college or university through which the program was completed. An applicant who completed the approved program through a college or university outside of West Virginia may present a photocopy of the valid out-of-state Professional Administrative Certificate or a letter of eligibility from the other state's licensing agency in lieu of the college or university recommendation; **OR**

b. Out-of-State Experience. - Three years of successful out-of-state experience as an educational leader within the seven years immediately preceding the date of application and a valid out-of-state Professional Administrative Certificate. The experience must have been on at least a one-half time basis. Both the out-of-state Professional Administrative Certificate and the experience must be in the specialization for which West Virginia licensure is requested;

AND

c. Pre-Professional Skills and Content Test. - The educator must satisfy the minimum proficiency level, as adopted by the State Board, on the Pre-Professional Skills Tests in reading, writing and mathematics, unless the applicant meets one of the exemptions specified in §126-136-14.1.3. e.D, and the content specialization test in educational leadership. Required scores are identified in Appendix B.

17.2. Renewal of the Provisional Professional Administrative Certificate.-The applicant for licensure must submit evidence of satisfying the following:

17.2.1. College/University Course Work. - Six semester hours of appropriate college/university course work related to the public school program as defined in §126-136-12.6; **OR**

17.2.2. MA + 30 Salary Classification. - Hold a minimum of a MA + 30 salary classification based on the awarding of master's degree; **OR**

17.2.3. Age Sixty. - Has reached 60 years of age and presents a photocopy of the birth certificate;

AND

17.2.4. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant teaches, last taught or resides. An applicant who is not employed as an educator in West Virginia and has never taught or resided in West Virginia shall consult with the licensing agency on procedures for renewal of the certificate.

17.3. Conversion of the Provisional Professional Administrative Certificate to the Permanent Professional Administrative Certificate. - The applicant for licensure must submit evidence of satisfying the following:

17.3.1. College/University Course Work. - Six semester hours of appropriate renewal credit related to the public school program as defined in §126-136-12.6; **OR**

17.3.2. MA + 30 Salary Classification. - Holds a minimum of a MA + 30 salary classification based on the awarding of a master's degree; **AND**

17.3.3. Experience. - Two years of experience in any or a combination of the specialization(s) reflected on the Professional Administrative Certificate, one year of which must be completed in West Virginia; **AND**

17.3.4. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant teaches or last taught.

17.3.5. Validity Period. - The Permanent Professional Administrative Certificate shall continue to be valid unless revoked for just cause.

17.4. Temporary Administrative Certificate.

17.4.1. General Criteria. - A Temporary Administrative Certificate may be issued to a person who has completed: 1) the minimum degree specified in Appendix A through an accredited institution of higher education as defined in §126-136-4.2 or an equivalent degree through a college or university in a foreign country; 2) the general requirements, with the exception of citizenship, specified in §126-136-13.1; 3) the minimum grade point average specified in §126-136-13.2; 4) three years of management level experience and 5) the conditions for issuance identified in §126-136-17.4.3. The Temporary Administrative Certificate shall be endorsed for Superintendent, Principal, Supervisor of Instruction or Vocational Administrator and shall indicate the specialization(s) and grade levels in which the holder may be assigned within

the public schools. Experience gained on the Temporary Administrative Certificate may be used for conversion purposes.

17.4.2. Validity Period. - The Temporary Administrative Certificate shall be valid for one school year and shall expire on June 30. An educator who graduates in December or whose Temporary Administrative Certificate is effective on or after January 1 may be issued a Temporary Administrative Certificate valid until June 30 of the following school year.

17.4.3. Conditions for Issuance. - The applicant for licensure must submit evidence of satisfying the following:

a. Out-of-State Approved Program. - Successful completion of an out-of-state accredited institution of higher education's state approved program with the exception of completion of: 1) the required tests in Pre-Professional Skills and/or Content and/or 2) the education and training in evaluation skills through the Center for Professional Development or equivalent training approved by the State Board; **OR**

b. Out-of-State Experience. - Three years of successful out-of-state experience as an educator within the seven years immediately preceding the date of application and a valid out-of-state Professional Administrative Certificate in the area for which West Virginia licensure is requested with or without completion of: 1) the required tests in Pre-Professional Skills and/or Content and/or 2) the education and training in evaluation skills completed through the Center for Professional Development or equivalent training approved by the State Board; **OR**

c. Foreign Credentials. - Verification by a recognized foreign credential evaluating agency that the applicant has completed the equivalent of an approved educational preparation program in the United States and in educational leadership, with or without completion of: 1) the required tests in Pre-Professional Skills and/or Content and/or 2) the education and training in evaluation skills through the Center for Professional Development or equivalent training approved by the State Board.

17.4.4. Renewal of the Temporary Administrative Certificate.

a. For the Applicant Lacking Only Tests in Pre-Professional Skills and/or Content and/or Training in Evaluation Skills. - The Temporary Administrative Certificate granted to an individual who is lacking only the required tests in Pre-Professional Skills and/or Content and/or training in evaluation skills may not be renewed. The applicant must pass all required tests and complete education and training in evaluation skills and upgrade the Temporary Administrative Certificate to the Provisional Professional Administrative Certificate or Permanent Professional Administrative Certificate, whichever is applicable. The required test scores are identified in Appendix B.

b. For the Non-Citizen. - An applicant who is lacking only United States citizenship may renew the Temporary Professional License two times without completing additional requirements. Every third renewal shall require six semester hours of appropriate college/university course work related to the public school program as defined as §126-136-12.6 and completed subsequent to the issuance of the Temporary Administrative Certificate being renewed and within the five year period immediately preceding the date of application for renewal of such certificate unless the applicant holds a minimum of a MA + 30 salary classification based on the awarding of a master's degree. Upon acquisition of U.S. citizenship, the applicant may apply for the Provisional Professional Administrative Certificate or the Permanent Professional Administrative Certificate, whichever is applicable.

c. For the Non-Citizen Lacking Tests and/or Training in Evaluation Skills.
- The first renewal of the Temporary Administrative Certificate for the applicant who is lacking United States citizenship and 1) the required tests in Pre-Professional Skills and/or Content and/or 2) education and training in evaluation skills shall require passage of all required tests and the education and training in evaluation skills. The applicant shall then follow the renewal provisions stipulated in §126-136-17.4.4.b.

126-136-18. Full-Time Permit for Educational Leadership Endorsements.

18.1. Issuance of the Initial Permit.

18.1.1. General Criteria. - The initial Full-Time Permit endorsed for Principal, Supervisor of Instruction or Vocational Administrator may be granted to an individual employed for an administrative assignment who has completed: 1) a minimum of a master's degree through an accredited institution of higher education as defined in §126-136-4.2; 2) the general requirements specified in §126-136-13.1; 3) the minimum grade point average specified in §126-136-13.2; 4) three years of management level experience; 5) education and training in evaluation skills through the Center for Professional Development or equivalent training approved by the State Board and 6) the conditions for issuance specified in §126-136-18.1.3.

18.1.2. Validity Period. - The Full-Time Permit shall be valid for one school year and shall expire on June 30. An educator employed on or after January 1 may be issued a Permit valid until June 30 of the following school year.

18.1.3. Conditions for Issuance. - The applicant for the Full-Time Permit must submit evidence of satisfying the following:

a. College/University Course Work. - Verification by the designated official at the college or university through which the program is being completed that the applicant has completed 25% of the approved program in the specialization(s) for which the permit is requested; **AND**

b. Professional Commitment. - Submission of the Professional Commitment verifying the applicant's enrollment in the state approved program; **AND**

c. Recommendation of Superintendent. - Receive the recommendation of the county superintendent verifying that the applicant is the most qualified candidate for the position.

d. Five Year Limit. - All requirements for the Professional Administrative Certificate must be completed within five years of the original issuance of the Full-Time Permit. The position held by an educator issued a Full-Time Permit is not subject to posting provided the educator meets the annual renewal requirements specified in §126-136-18.2 and and completes the state approved program within five years.

18.2. Renewal of the Full-Time Permit for an Educational Leadership Endorsement.

18.2.1. Conditions for Issuance. - The holder of a Full-Time Permit who continues to be employed in the specialization(s) reflected on the permit must submit evidence of satisfying the following:

a. College/University Course Work. - Verification by the designated official at the college or university through which the program is being completed that the applicant has completed six semester hour of college/university credit reflecting a 3.0 grade point average within the institution of higher education's state approved program in the specialization for which the permit is requested; **AND**

b. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is employed.

18.3. Extension of the Full-Time Permit for Extenuating Circumstances. - The Full-Time Permit endorsed for an educational leadership specialization may be extended as indicated in §126-136-15.3.

§126-136-19. Vocational Permit.

19.1. Issuance of the Initial Full-Time Vocational Permit.

19.1.1. General Criteria. - A Full-Time Vocational Permit for teaching in a vocational secondary, post-secondary or adult program may be issued to a person who holds a high school diploma, GED or a degree, if applicable, through an accredited college or university as defined in §126-136-4.2; and has completed: 1) the general requirements specified in §126-136-13.1; 2) the minimum grade point average specified in §126-136-13.2, if applicable; and 3) the conditions for issuance identified in §126-136-19.3 and §126-136-19.4.

19.1.2. Validity Period. - The Full-Time Vocational Permit shall be valid for one school year and shall expire on June 30. An educator employed on or after January 1 may be issued a Vocational Permit valid until June 30 of the following school year.

19.1.3. Common Conditions for Issuance. - The applicant for the Full-Time Vocational Permit must submit evidence of satisfying the following common conditions for issuance **AND** the appropriate content specific conditions for issuance identified in §126-136-19.1.4:

a. ~~Basic Skills and Content Written Tests.~~ - An educator must satisfy the minimum proficiency levels, identified in Appendix B as adopted by the State Board , in:

A. Basic Skills. - Minimum proficiency levels on the California Achievement Tests in reading, writing and mathematics or meets the minimum scores on the Pre-Professional Skills Tests or one of the exemptions identified in §126-136-14.1.3.e.D; **AND**

~~B. Content Specialization. - Minimum proficiency level on the written section of the content specialization test(s), if applicable; **AND**~~

b. Wage-Earning Experience. - Verification of the required years of work experience by the former employer(s) and notarized by a notary public; **AND**

c. Professional Commitment. - Submission of the Professional Commitment verifying the applicant's enrollment in the state approved program; **AND**

d. Recommendation of the Superintendent. - Receive the recommendation of the county superintendent verifying that the applicant is the most qualified candidate.

19.1.4. Content Specific Conditions for Issuance. - The applicant for the Full-Time Vocational Permit must submit evidence of satisfying the common conditions for issuance specified in §126-136-19.1.3 and the following criteria for the specialization for which licensure is requested:

a. For Industrial and Technical Specializations.

A. Wage-Earning Experience. - Complete four years (8,000 clock hours) of satisfactory and reasonably continuous work experience in the occupation for which licensure is requested; **OR**

B. Bachelor's Degree. - Hold a bachelor's degree in an area related to the specialization for which licensure is requested and complete three years (6,000 clock hours) of satisfactory and reasonably continuous work experience in the area for which licensure is requested; **OR**

C. Vocational Industrial Education Program. - Enroll in an approved vocational industrial education program in the specialization for which licensure is requested. Each full year of training may count for one-half year toward the four years of required work experience; **OR**

D. Technical School. - Complete credit in an approved two or four year technical school. Each ten semester hours of approved course work may count for one year toward the four years of required work experience. However, maximum allowance for credit in lieu of experience is two years toward the four years of required work experience.

b. For Health Occupations Specializations.

A. Practical Nursing.

(a) License. - Hold a valid license as a registered nurse in West Virginia; **AND**

(b) Wage-Earning Experience. - Complete three years (6,000 clock hours) of professional wage earning experience involving "patient-side" nursing care in a long term, intermediate or acute care clinical facility such as a nursing home or hospital. The most recent experience must have been within the past three years and beyond the training period as a nurse.

B. Nursing Assistant.

(a) License. - Hold a valid license as a registered nurse in West Virginia; **AND**

(b) Wage-Earning Experience. - Complete two years (4,000 clock hours) of wage earning experience involving "patient-side" nursing care in a long term, intermediate or acute care clinical facility such as a nursing home or hospital. The most recent experience must have been within the past three years and beyond the training period.

C. Medical Assistant.

(a) Certification. - Hold a valid American Association of Medical Assistants (AAMA) Certificate or the American Medical Technologists Association (AMT) Certificate; **AND**

(b) Wage-Earning Experience. - Complete two years (4,000 clock hours) of wage earning experience in a medical office or out-patient clinic with experience in all aspects of medical office practice, i.e. insurance, medical transcription, and clinical procedures such as treatments and examinations. The most recent experience must have been within the past three years and beyond the training period.

D. Medical Lab Technician.

(a) Certification. - Hold a valid American Society of Clinical Pathology, (ASCP) or American Medical Technologists Association (AMT) or International Society for Clinical Lab Technology (ISCLT) Certificate; **AND**

(b) Wage-Earning Experience. - Complete two years (4,000 clock hours) of wage earning experience in a clinical laboratory in a hospital, physician's office or clinic in the performance of routine laboratory procedures in bacteriology, blood-banking, hematology, urinalysis and serology. The most recent experience must have been within the past three years and beyond the training period.

E. Dental Assistant.

(a) Certification. - Hold a valid Dental Assistant National Board (DANB) Certificate; **AND**

(b) Wage-Earning Experience. - Complete two years (4,000 clock hours) of wage earning experience in a dental office with practice, i.e., scheduling, billing and chair side assisting. The most recent experience must have been within the past three years and beyond the training period.

F. Dental Lab Technician.

(a) Certification. - Hold a valid National Board for Certification (NBC) Certificate; **AND**

(b) Wage-Earning Experience. - Complete two years (4,000 clock hours) of wage earning experience in a dental laboratory, dental office or dental clinic in the fabrication of dental restorations. The most recent experience must have been within the past three years and beyond the training period.

G. Other Health Occupations.

(a) Certification. - Hold a valid certificate or license from the appropriate state and/or national organization or agency, when applicable; **AND**

(b) Wage-Earning Experience. - Complete two years (4,000 clock hours) of recent wage earning experience above and beyond the training period in the occupation to be taught.

c. Coordinator of Cooperative Education.

A. License. - Hold a Vocational Certificate or a Professional Teaching Certificate endorsed for a vocational-technical specialization; consumer/homemaking, agriculture, marketing, technology education or business education; **AND**

B. Wage-Earning Experience. - Complete a minimum of one year (2,000 clock hours) of related wage earning experience in a non-teaching position.

d. Occupational Home Economics.

A. Wage-Earning Experience. - Complete four years (8,000 clock hours) of satisfactory and reasonably continuous wage earning experience in the specialization for which licensure is requested; **OR**

B. Degree. - Hold a bachelor's degree in an area related to the specialization for which licensure is requested; **AND**

C. Wage-Earning Experience. - Complete three years (6,000 clock hours) of satisfactory and reasonably continuous wage earning experience in the specialization for which licensure is requested.

19.2. Renewal of the Vocational Permit.

19.2.1. Conditions for Issuance. - The holder of a Full-Time Vocational Permit who continues to be employed in the specialization(s) reflected on the permit must submit evidence of satisfying the following:

a. Content Written and Performance Tests. - The first renewal of the Vocational Permit requires passage of the written and performance sections of the content specialization test identified in Appendix B, if applicable; **AND**

b. College/University Course Work. - Verification by the designated official at the college or university through which the program is being completed that the applicant has completed six semester hours of college/university credit reflecting a 3.0 grade point average within the institution of higher education's state approved program; **AND**

c. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is employed.

§126-136-20. Vocational Certificate.

20.1. Initial Vocational Certificate.

20.1.1. General Criteria. - A Vocational Certificate for teaching in a vocational secondary, post-secondary or adult program may be issued to a person who holds a high school diploma, GED, or a degree, if applicable, through an accredited institution of higher education as defined in §126-136-4.2; and has completed: 1) the general requirements specified in §126-136-13.1; 2) the minimum grade point average specified in §126-136-13.2, if applicable; 3) the work and training experience required for issuance of the Vocational Permit; 4) the tests specified in §126-136-19.1.3a and §126-136-19.2.1a; and 5) the appropriate conditions for issuance identified in §126-136-20.1.3. A Vocational Certificate may be issued in the vocational specializations identified in Appendix A. The Vocational Certificate shall be endorsed to indicate the

specialization(s) and grade levels in which the holder can be legally assigned within the public schools.

20.1.2. Validity Period. - The Vocational Certificate shall be valid for no more than five years and shall expire on June 30 of the last year of its validity.

20.1.3. Conditions for Issuance. - The applicant for licensure must submit evidence of satisfying the following:

a. State Approved Program. - Successful completion of an institution of higher education's state approved program and the recommendation of the designated official at the college/university through which the program was completed; **AND**

b. Experience. - Two years of experience within one or a combination of the endorsements on the Vocational Permit. **AND**

c. Performance Assessment. - Successful completion of the performance assessment required under WV126CSR114 Policy 5100 as verified by a representative of the institution of higher education and a public school; **AND**

d. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant teaches or last taught; **OR**

e. Successful Educational Experience. - Three years of successful out-of-state experience as an educator within the seven years immediately preceding the date of application, the required tests in Basic Skills and Content, if applicable, and a valid out-of-state Vocational Certificate. Both the out-of-state certificate and the experience must be in the specialization(s) for which West Virginia licensure is requested.

20.2. Renewal of the Vocational Certificate. - The applicant for licensure must submit evidence of satisfying the following:

20.2.1. College/University Course Work. - Six semester hours of appropriate college/university course work related to the public school program, as defined in §126-136-12.6, reflecting a 3.0 grade point average. The course work must have been completed subsequent to the issuance of the certificate being renewed and within the five year period immediately preceding the date of application; **OR**

20.2.2. MA + 30 Salary Classification. - Hold a minimum of a MA + 30 salary classification based on the awarding of a master's degree; **OR**

20.2.3. Age Sixty. - Has reached 60 years of age and presents a photocopy of the birth certificate;

AND

20.2.4. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant teaches, last taught or resides. An educator who is not employed as an educator in West Virginia and has never taught or resided in West Virginia shall consult with the licensing agency on procedures required for renewal of the certificate.

20.3. Permanent Vocational Certificate. - The applicant for licensure must submit evidence of satisfying the following:

20.3.1. Five Year Certificate. - Hold or be eligible for the Vocational Certificate valid for five years; **AND**

20.3.2. Master's Degree. - Hold a master's degree related to the public school program as defined in §126-136-12.6; **AND**

20.3.3. Experience. - Complete five years of educational experience including two within the specialization(s) for which the permanent certificate is requested; **OR**

20.3.4. Five Year Certificate. - Hold a Vocational Certificate valid for five years; **AND**

20.3.5. Two Renewals. - Renew the Vocational Certificate valid for five years two times based on: 1) six semester hours of appropriate renewal credit reflecting a 3.0 grade point average; or 2) a minimum of a MA+ 30 salary classification based on the awarding of a master's degree; or 3) age sixty;

AND

20.3.6. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the educator teaches or last taught.

20.3.7. Validity Period. - The Permanent Vocational Certificate shall remain valid unless revoked for just cause.

20.4. Temporary Vocational Certificate.

20.4.1. General Criteria. - A non-renewable Temporary Vocational Certificate may be issued to an educator who is seeking West Virginia licensure via the experienced educator provisions specified in §126-136-20.1.3.b and who has not passed the required tests in Basic Skills and/or Content. To upgrade this license to the Vocational Certificate, the educator must pass all required tests.

§126-136-21. Substitute Vocational Permit.

21.1. Initial Substitute Vocational Permit.

21.1.1. **General Criteria.** - A Substitute Vocational Permit for teaching in a vocational secondary, post-secondary or adult program may be issued to a person who holds a high school diploma, GED, or a degree, if applicable, through an accredited college or university as defined in §126-136-4.2; and has completed: 1) the general requirements specified in §126-136-13.1; 2) the minimum grade point average specified in §126-136-13.2, if applicable; 3) the common conditions for issuance identified in §126-136-21.1.3; and 4) the appropriate content conditions for issuance identified in §126-136-21.1.4.

21.1.2. **Validity Period.** - The Substitute Vocational Permit shall be valid for no more than three school years and shall expire on June 30 of the last year of its validity.

21.1.3. **Common Conditions for Issuance.** - The applicant for the Substitute Vocational Permit must submit evidence of satisfying the following common conditions for issuance **AND** the appropriate content specific conditions for issuance identified in §126-136-21.1.4:

a. **Wage-Earning Experience.** - Verification of the required years of work experience by the former employer(s) and notarized by a notary public; **AND**

b. **Professional Commitment.** - Submission of the Professional Commitment verifying the applicant's enrollment in the institution of higher education's state approved program; **AND**

c. **Recommendation of Superintendent.** - Receive the recommendation of the county superintendent in the county in which the applicant is employed.

21.1.4. **Content Specific Conditions for Issuance.** - The applicant for the Substitute Vocational Permit must submit evidence of satisfying the common conditions for issuance and the following criteria for the specialization for which licensure is requested:

a. **For Industrial and Technical or Occupational Home Economics Specializations.**

A. **Wage-Earning Experience.** - Complete six years (12,000 clock hours) of satisfactory and reasonably continuous work experience in the occupation for which licensure is requested; **OR**

B. **Bachelor's Degree.** - Hold a bachelor's degree in an area related to the specialization for which licensure is requested and complete three years (6,000 clock hours) of satisfactory and reasonably continuous work experience in the area for which licensure is requested; **OR**

C. **Enrollment in Approved Program.** - Enroll in an approved vocational industrial education program in the specialization for which licensure is requested. Each full year of training may count for one-half year toward the four years of required work experience; **OR**

D. Technical School. - Complete credit in an approved two or four year technical school. Each ten semester hours of approved course work may count for one year of wage earning experience. However, maximum allowance for credit in lieu of experience is two years toward the four years of required work experience.

b. For Health Occupations Specializations. - An applicant requesting a Substitute Vocational Permit shall meet the requirements for issuance of the Full-Time Vocational Permit as stipulated in §126-136-19.1.4.b.

21.2. Renewal of the Substitute Vocational Permit.

21.2.1. Conditions for Issuance. - The holder of a Substitute Vocational Permit must submit evidence of satisfying the following:

a. College/University Course Work. - Completion of six semester hours of college/university credit reflecting a 3.0 grade point average within the institution of higher education's state approved program; **AND**

b. Recommendation of Institution of Higher Education. - The recommendation of the designated official at the college/university through which the state approved program is being completed, verifying that the course work completed is part of the state approved program; **AND**

c. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant teaches or last taught.

§126-136-22. Adult Licenses

22.1. Initial Adult Licenses and Renewal.

22.1.1. General Criteria. - An Adult License for teaching in an adult program may be issued to a person who holds a high school diploma, GED, or a degree, if applicable, through an accredited college or university as defined in §126-136-4.2; and has completed: 1) the general requirements specified in §126-136-13.1; 2) the minimum grade point average specified in §126-136-13.2, if applicable; and 3) the conditions for issuance identified for the specialization requested.

22.1.2. Validity Period. - The Adult License endorsed for any specialization except the special interest specializations shall be valid for five years and shall expire on June 30 of the last year of its validity. These licenses shall not be valid for more than five years. The Adult License endorsed for the special interest specializations shall be issued permanently.

22.1.3. Adult Basic Education.

a. Initial Adult License Endorsed for Adult Basic Education.

A. The applicant for the Adult License must submit evidence of satisfying the following:

(a) Degree. - A bachelor's degree from an accredited institution of higher education as defined in §126-136-4.2.

b. Renewal of the Adult License Endorsed for Adult Basic Education.

A. The applicant for renewal of the Adult License must submit evidence of satisfying the following:

(a) College/University Course Work. - Six semester hours of college/university course work reflecting a 3.0 grade point average and prescribed for issuance of a Professional Teaching Certificate or in a program of adult education; **AND**

(b) Professional Development Activities. - Fifteen clock hours of adult basic education professional development activities approved by the licensing agency; **AND**

(c) Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant teaches or last taught.

22.1.4. Vocational Industrial, Technical, Health Occupations or Occupational Home Economics.

a. Initial Adult License Endorsed for Vocational Industrial, Technical, Health Occupations or Occupational Home Economics.

A. The applicant for the Adult License must submit evidence of satisfying the: 1) general criteria specified in §126-136-21.1.1; 2) common conditions for issuance specified in §126-136-21.1.3 and 3) content specific conditions for issuance of a Substitute Vocational Permit as stipulated in §126-136-21.1.4.

b. Renewal of the Adult License Endorsed for Vocational Industrial Technical, Health Occupations or Occupational Home Economics. - The applicant for licensure must submit evidence of satisfying the following:

A. Recommendation of the Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant teaches or last taught.

22.1.5. Emergency Medical Technician.

a. Initial Adult License.

A. License. - Hold a current West Virginia EMT or Paramedic license;
AND

B. Wage-Earning Experience. - Complete four years (8,000 clock hours) of recent work experience, which may include emergency room or emergency medical care, beyond the training period in the occupation to be taught; **AND**

C. Test. - Scores reflecting a minimum of 85% on the National Registry or West Virginia EMT certification or recertification examination; **AND**

D. Certification. - Hold current CPR instructor certification; **AND**

E. Professional Development Activities. - Complete an approved instructor course; **AND**

F. Field-Based Experience. - Successfully complete the field-based experience in EMT instructor training; **AND**

G. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is employed.

b. Renewal of the Adult License Endorsed for Emergency Medical Technician.
- The applicant for licensure must submit evidence of satisfying the following:

A. License. - Hold current EMT or paramedic license; **AND**

B. Certification. - Hold current CPR instructor certification; **AND**

C. Teaching Experience. - Complete 27 hours of teaching activity in an approved EMT basic or refresher course subsequent to the issuance of the license being renewed; **AND**

D. Evaluation. - Serve as an evaluator for at least one practical examination subsequent to the issuance of the license being renewed; **AND**

E. Professional Development Activities. - Attend at least three approved instructor seminars subsequent to the issuance of the license being renewed; **AND**

F. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant teaches or last taught.

22.1.6. Business or Marketing.

a. Initial Adult License Endorsed for Business or Marketing.

A. Wage-Earning Experience. - Complete three years (6,000 clock hours) of successful wage earning experience in the occupation for which licensure is requested; **AND**

B. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant teaches.

b. Renewal of the Adult License Endorsed for Business or Marketing.

A. Recommendation of the Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant teaches or last taught.

22.1.7. Adult Special Interest.

a. Permanent Adult License.

A. Education Record. -Submit official copy of education record; **AND**

B. Competence. - Submit evidence of competence to teach in the specialization for which licensure is requested; **AND**

C. Recommendation of Employer/Knowledgeable Person. - Recommendation from an employer in the skill related to the employment or a recommendation from a person knowledgeable of her/his competence; **AND**

D. Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant teaches.

E. Approved Special Interest Specialization. - Specializations for teaching in an approved special interest course include aging and retirement, Americanization and citizenship, arts and crafts, fine arts, drama and music, parent education, recreation, home-making, languages and literature.

§126-136-23. Authorizations.

23.1. Initial Authorizations and Renewal.

23.1.1. General Criteria. - An Authorization may be issued to a person who has completed: 1) the minimum degree specified in Appendix A through an accredited institution of

higher education as defined in §126-136-4.2, if applicable; 2) the general requirements specified in §126-136-13.1; 3) the minimum grade point average specified in §126-136-13.2, if applicable; and the conditions for issuance specified for the specialization for which licensure is requested. The Authorization shall be endorsed to indicate the specialization(s) and grade levels in which the holder can be legally assigned within the public schools.

23.1.2. Validity Period. - An Authorization shall be valid for one school year and shall expire on June 30. An applicant employed in a specialization other than coaching on or after January 1 may be issued an Authorization valid until June 30 of the following school year. The Authorization endorsed for coaching shall expire June 30 of the current school year. Permanent Authorizations issued previously shall remain in effect unless revoked for just cause.

23.1.3. Conditions for Issuance. - The applicant for an Authorization must submit evidence of satisfying the specific conditions for issuance for the specialization for which licensure is requested:

a. Alternative Education Programs.

A. Initial Authorization. - The applicant for licensure must provide evidence of satisfying the following:

(a) West Virginia Professional Teaching Certificate. - Hold a valid West Virginia Professional Teaching Certificate; **AND**

(b) Demonstrated Competence. - Meet the selection criteria for being able to work with troubled and disruptive youth as established in WV126CSR20 "Regulations for Alternative Education Programs for Disruptive Students" (Policy 2418); **AND**

(c) Recommendation of Superintendent. - Receive the recommendation from the county superintendent verifying that the applicant is the most qualified candidate for the position.

B. Renewal of the Authorization for Alternative Education Programs - The applicant for licensure must provide evidence of satisfying the following:

(a) Recommendation of Superintendent. - Receive the recommendation from the county superintendent verifying that the applicant is the most qualified candidate for the position.

b. Audiologist For Hearing Screenings and Audiological Evaluations.

A. Initial Authorization. - The applicant for licensure must provide evidence of satisfying the following:

(a) Degree. - Hold a master's degree from an accredited institution of higher education as defined in §126-136-4.2; **AND**

(b) License. - Hold a valid license issued by the West Virginia Board of Examiners for Speech/Language Pathology and Audiology; **AND**

(c) Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is employed.

(d) Limitations. - An audiologist providing services on an Authorization may conduct only hearing screenings and audiological evaluations.

B. Renewal of the Authorization for Audiologist. - The applicant for licensure must submit evidence of satisfying the following:

(a) License. - Hold a valid West Virginia license issued by the West Virginia Board of Examiners for Speech/Language Pathology and Audiology; **AND**

(b) Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is or was employed.

c. Coaching.

A. Initial Authorization.- The applicant for licensure must provide evidence of satisfying the following:

(a) High School Diploma or GED. - Hold a minimum of a high school diploma or GED; **AND**

(b) Contract. - Be employed under a contract with a board of education to serve as a coach; **AND**

(c) Professional Development Activities. - Complete approved training if the sport falls within the jurisdiction of the West Virginia Secondary School Activities Commission (WVSSAC) or approved local board of education training if the sport is not within the jurisdiction of the WVSSAC; **AND**

(d) Recommendation of Superintendent. - Receive the recommendation of the county superintendent verifying that no currently employed, professionally licensed educator applied for the position and the applicant is the most qualified candidate for the position.

(e) Continued Employment. - A coach who previously received an Authorization based on less than a high school diploma or GED and has had no break in service may continue to receive an Authorization.

B. Renewal of the Authorization for Coaching. - The applicant for licensure must provide evidence of satisfying the following:

(a) Contract. - Be employed under a contract with a board of education to serve as a coach; **AND**

(b) Recommendation of Superintendent. - Receive the recommendation of the county superintendent verifying that no currently employed, certified professional educator applied for the position and the applicant is the most qualified candidate for the position.

d. Junior ROTC.

A. Initial Authorization and Renewal. - The applicant for licensure must provide evidence of satisfying the following:

(a) Letter of Certification. - Provide a photocopy of a valid certificate or letter of certification verifying that the applicant has been approved by the appropriate branch of the armed services to provide Junior ROTC instruction; **AND**

(b) Recommendation of Superintendent. -Receive the recommendation of the county superintendent verifying that the applicant is the most qualified candidate for the position.

e. Licensed Psychologists For Test Administration and Interpretation.

A. Initial Authorization. - The applicant for licensure must provide evidence of satisfying the following:

(a) Valid License. - Provide a photocopy of a valid license issued by the West Virginia Board of Examiners of Psychologist; **AND**

(b) Academic and Experiential Background. - Provide evidence of academic and/or experiential background in educational and psychological foundations, theoretical foundations of statistical, testing, and research techniques, and collecting data to identify children with specialized needs; **AND**

(c) Experience in Test Administration and Interpretation. - Provide evidence of experience in test administration and interpretation with school age populations; **AND**

(d) Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is employed.

(e) Limitations. - A licensed psychologist providing services on an Authorization is restricted to test administration and interpretation.

B. Renewal of the Authorization for Licensed Psychologist. - The applicant must:

(a) Valid License. - Provide a photocopy of a valid license issued by the West Virginia Board of Examiners for Psychologists; **AND**

(b) Recommendation of Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is or was employed.

f. Out-of-Field Authorization for Teaching.

A. Initial Out-of-Field Authorization. - The applicant must:

(a) Valid Certificate. - Hold a valid West Virginia Professional Teaching Certificate; **AND**

(b) Board of Education Approval. - Receive approval from the local board of education; **AND**

(c) Professional Commitment. - Submit the Professional Commitment verifying that the applicant is enrolled in an institution of higher education's state approved program; **AND**

(d) Recommendation of Superintendent. - Receive the recommendation of the county superintendent verifying that the applicant is the best candidate for the position.

(e) Limitations. - Out-of-Field Authorizations are restricted to teaching specializations and will be granted only if the applicant does not qualify for a Permit. Such positions are not subject to posting provided the applicant meets the annual renewal requirements.

(f) Extension. - An Out-of-Field Authorization may be extended as indicated in §126-136-15.3.

B. Renewal of the Out-of-Field Authorization for Teaching. - The applicant for licensure must submit evidence of satisfying the following:

(a) Valid Certificate. - Hold a valid West Virginia Professional Teaching Certificate; **AND**

(b) College/University Course Work. - Complete six semester hours of college/university course work within an institution of higher education's state approved program in the specialization for which the Out-of-Field Authorization is granted; **AND**

(c) Recommendation of Institution of Higher Education. - Obtain the recommendation of the designated official at the college or university through which the program is being completed, verifying that the course work completed is part of the institution of higher education's state approved program; **AND**

(d) Recommendation of Superintendent. - Receive the recommendation from the county superintendent in the county in which the applicant is employed.

g. Chief School Business Official.

A. Initial Authorization for Chief School Business Official. - The applicant for licensure must provide evidence of satisfying the following:

(a) Degree. - Hold a minimum of a bachelor's degree including six semester hours of course work in accounting; **AND**

(b) Recommendation of Superintendent. - Receive the recommendation of the county superintendent verifying that the applicant is the most qualified candidate for the position.

B. Renewal of the Authorization for Chief School Business Official - The applicant for licensure must provide evidence of satisfying the following:

(a) Professional Development Activities. - Complete 15 clock hours of in-service credit offered by the licensing agency; **AND**

(b) Recommendation of the Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is or was employed.

h. Jobs for West Virginia Graduates

A. Initial Authorization for Teachers Employed in Jobs for West Virginia's Graduates Program. - The applicant for licensure must provide evidence of satisfying the following:

(a) Degree. - Hold a minimum of a bachelor's degree from an accredited institution of higher education; **AND**

(b) Certificate of Completion. - Successful completion of the "Jobs for America's Graduates training; **AND**

(c). Employment. - Be employed as a teacher in the Jobs for West Virginia's Graduates Program; **AND**

(d) Recommendation of the Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is employed.

B. Renewal of the Authorization for Jobs for West Virginia's Graduates. - The applicant for licensure must provide evidence of satisfying the following:

(a) Employment. - Be employed as a teacher in the Jobs for West Virginia's Graduates Program; AND

(b) Recommendation of the Superintendent. - Receive the recommendation of the county superintendent in the county in which the applicant is employed.

§126.136.24. Advanced Salary Classifications for Educators.

24.1. Purpose. - The intent of advanced salary classifications is to recognize educators for completing college/university course work that will contribute to the improvement of instruction or other services in the public schools. The legal bases for these regulations are W.V. Code §§ 18A-4-1 and 18A-4-4.

24.2. Governing Principles. - The following governing principles shall apply:

24.2.1. The advanced salary classifications recognized by the licensing agency are: BA+ 15, Master's, MA+15, MA+ 30, MA+ 45 and Doctorate. These classifications are defined in §126-136-4.

24.2.2. All college/university course work used for advanced salary purposes must be completed at an accredited institution of higher education as defined in §126-136-4.2 except that course work completed for a vocational advanced salary classification recognized on the Vocational Certificate must have been completed at a regionally accredited institution of higher education as defined in §126-136-4.39.

24.2.3. Graduate course work completed after July 1, 1994 shall be related to the public school program, as defined in §126-136-12.6.

24.2.4. Duplicate credit as defined in §126-136-4.15, shall not be accepted for advanced salary purposes.

24.2.5. A teacher who holds a master's degree based on fewer than 30 semester hours of credit may qualify for the MA+ 15, MA+ 30, or MA+ 45 advanced salary classification by completing 15, 30, or 45 semester hours of college/university credit respectively, beyond the degree requirements.

24.2.6. An individual employed on a permit in a specialization which requires completion of a master's degree program for the initial Professional Certificate may be granted a BA+ 15 salary classification upon completion of 15 semester hours of course work leading to the master's degree in the specialization for which the permit is issued.

24.2.7. Fifteen (15) semester hours of undergraduate credit from a regionally accredited institution of higher education, earned after July 1, 1984, may be utilized for an advanced salary classification if such hours are in accordance with (a) the teacher's **current** classification of certification and of training; (b) a designated instructional shortage area documented by the employing superintendent; or (c) an identified teaching deficiency documented through the state approved county personnel evaluation

system. Undergraduate course work used to satisfy option (a) must be completed after all requirements for issuance of the specialization on the Professional or Vocational Certificate have been completed.

24.3. Salary Classifications for Holders of the Vocational Permit or Certificate.

24.3.1. The basic salary for the holder of a Vocational Permit or Vocational Certificate shall be based on a bachelor's degree unless the permit or certificate is issued on the basis of a master's or doctor's degree in which case the salary will be at the appropriate degree level.

24.3.2. The vocational advanced salary classifications are recognized only on the Vocational Certificate.

24.3.3. The vocational advanced salary classifications for an educator whose Vocational Certificate is not based on a degree include Vocational BA+ 15, Vocational MA, Vocational MA+15, Vocational MA+ 30, and Vocational MA+ 45 . These salary classifications are defined in §126-136-4.

24.3.4. A vocational educator who received an advanced salary classification under previous provisions shall qualify for additional salary classifications by completing 15 semester hours of additional college course work through a regionally accredited institution of higher education defined in §126-136-4-39 for each new salary classification.

24.3.5. Six semester hours of college/university course work in the teaching specialization update are required for each advanced salary classification.

24.3.6. An educator who holds a permanent Vocational Certificate may qualify for the MA+ 30 salary classification based on the awarding of a bachelor's degree from a regionally accredited institution of higher education as defined in §126-136-4.39.

24.3.7. An educator who holds a permanent Vocational Certificate may qualify for the MA+ 45 salary classification based on the awarding of a bachelor's degree and 15 semester hours of graduate credit from a regionally accredited institution of higher education defined in §126-136-4.39.

24.3.8. An educator who is not pursuing a degree and who is requesting a vocational advanced salary classification must select college/university course work related to the following areas, with the semester hour limitations as indicated:

- | | |
|--|--------|
| a. Composition and Rhetoric | 6 Hrs. |
| b. School and Society | 3 Hrs. |
| c. Computer Literacy/Microcomputer
Network Applications | 6 Hrs. |
| d. Human Growth and Development | 3 Hrs. |
| e. Mathematics | 6 Hrs. |

f. Psychology of Learning	3 Hrs.
g. Speech	3 Hrs.
h. Teaching of Reading in the Secondary Schools	3 Hrs.
I. Coordination of Cooperative Vocational Education	3 Hrs.
j. History and Philosophy of Vocational Education	3 Hrs.
k. Coordination of Vocational Youth Activities	3 Hrs.
l. Audio Visual Productions in Vocational Education	3 Hrs.
m. Teaching Special Needs Students in Vocational Education	3 Hrs.
n. Laboratory Science	8 Hrs.
o. Teaching Specialization Update	30 Hrs.
p. Approved Electives	9 Hrs.

24.3.9. The requirements for Teaching Specialization Update may be satisfied by: approved industry sponsored technical update workshops; approved specialization related course work sponsored by an accredited institution of higher education; approved back-to-industry experiences; and special incentive workshops sponsored by the licensing agency. These hours can be no more than five years old at the time of application for the advanced salary classification.

24.4. Dating of Advanced Salary Classifications.

24.4.1. The effective date of an advanced salary classification shall be the date of the applicant's eligibility provided the application is received by the licensing agency within three months of the date of eligibility. When the application is received by the licensing agency more than three months after the date of the applicant's eligibility, the effective date shall be the date the application is received by the licensing agency no more than three months prior to the date the application is received by the licensing agency except that such applications received in July, August and September shall not be dated prior to July 1 of the current school year.

§126-136-25. Paraprofessional Certificate.

25.1. Permanent Paraprofessional Certificate.

25.1.1. General Criteria. - A Paraprofessional Certificate may be issued to a person who has completed: 1) the general requirements specified in §126-136-13.1; and 2) the conditions for issuance identified in §126-136-25.1.3. The Paraprofessional Certificate entitles the holder to serve in a support capacity including, but not limited to, facilitating the instruction and direct or indirect supervision of pupils under the direction of an educator.

25.1.2. Validity Period. - The Permanent Paraprofessional Certificate shall continue to be valid unless revoked for just cause.

25.1.3. Conditions for Issuance. - The applicant for licensure must submit evidence of satisfying 36 semester hours of post-secondary education or its equivalent in the following:

a. Basic Skills. - The applicant must have completed at least nine semester hours of college/university credit or its equivalent in reading, writing and mathematical computations. Three semester hours of course work can be credited by passing each of the Pre-Professional Skills Tests (PPST) in reading, writing and mathematics or meeting one of the exceptions identified in §126-136-14.1.3. e.D; **AND**

b. General Studies. - The applicant must have completed at least six semester hours of college/university credit or its equivalent from the humanities, fine arts, and/or physical, biological or social sciences; **AND**

c. Computer Literacy. - The applicant must have completed at least three semester hours of college/university credit or its equivalent in computer literacy; **AND**

d. Special Education. - The applicant must have completed at least three semester hours of college/university credit or its equivalent in special education. Documentation of a minimum of two years of successful experience which included special needs children and a minimum of ten (10) clock hours of in-service training directly related to special education may be substituted for the college/university credit; **AND**

e. Classroom Management. - The applicant must have completed at least three semester hours of college/university credit or its equivalent in classroom management. Documentation of a minimum of two years of experience in the successful use of classroom management skills may be substituted for the college/university credit; **AND**

f. Human Growth and Development. - The applicant must have completed at least three semester hours of college/university credit or its equivalent in human growth and development or psychology; **AND**

g. Electives. - The applicant must have completed nine semester hours of electives related to public instruction.

25.1.4. Equivalent Training. - Equivalent training may be obtained from in-service programs or adult technical education programs delivered through county school systems or regional education service agencies (RESAs) provided the equivalent training for the Paraprofessional License reflects the distribution of requirements specified in §126-136-25.1.3. Fifteen clock hours of in-service or adult technical education equals one semester hour of college/university credit.

§126-136-26. Licensure Appeal Panel.

26.1. Purpose. - The purpose of the Licensure Appeal Panel is to provide an appeal process for individuals related to interpretations of licensure regulations in order to allow an objective review of issues and decisions.

26.2. Jurisdiction. - The Licensure Appeal Panel has jurisdiction to hear an appeal based on licensure issues following its referral from the licensing agency. The Appeal Panel may determine that extenuating circumstances exist and, therefore, may base its decision on factors outside the current licensure regulations. The Appeal Panel does not have jurisdiction to review licensure revocations ordered by the licensing agency or to operate outside current law.

26.3. Membership. - The Licensure Appeal Panel shall be comprised of members of the West Virginia Commission for Professional Teaching Standards as specified in the State Board policy creating the commission.

26.4. Terms of Office. - Membership on the Appeal Panel shall be consistent with the member's term of office on the West Virginia Commission for Professional Teaching Standards.

26.5. Election of Chairperson. - At the initial meeting each school year, the members of the Appeal Panel shall elect a chairperson who shall serve a one-year term which expires June 30. The chairperson may be reelected to a second consecutive term but may not serve as chair for a third consecutive term. A temporary chairperson shall be elected to preside over any session or hearing in the absence of the regularly elected chairperson.

26.6. Quorum. - A majority of the Appeal Panel members eligible to participate must be present in order to convene a session or to take any official action. If a member is ineligible to participate in an appeal because he/she is a responding party, that member's seat shall not be counted among the number of members eligible to participate, and shall not be considered in the calculation of a quorum. Vacant seats shall not be considered in the calculation of a quorum.

26.7. Meetings. - The Appeal Panel shall meet in July or August of each school year to conduct business relating to its governance and to receive an orientation about legal procedures. The Appeal Panel shall meet in session at least every three months to review the appeals referred by the licensing agency. The Appeal Panel may meet more frequently if reasonably necessary, upon the consent of a quorum. The Appeal Panel does not need to meet if no appeals are pending. The licensing agency shall reimburse each Appeal Panel member for allowable state travel expenses and shall reimburse the board of education the cost for a substitute teacher for each teacher member of the Appeal Panel.

26.8. Burden of Proof. - In all reviews or hearings referred to the Appeal Panel, the appellant shall bear the burden of proving, by a preponderance of the evidence, that the judgment made by the responding party is erroneous.

26.9. Liaison. - The licensing agency shall appoint a liaison within the licensing agency who shall assist the Appeal Panel by providing explanation of existing regulations, legal interpretations and practices of the licensing agency.

26.10. Appeal Process.

26.10.1. Appellant. - An individual may file an appeal, in writing, through the licensing agency, requesting a review of the record by the Appeal Panel provided:

a. A license or advanced salary classification was denied by the licensing agency or a lower level credential/advanced salary classification than expected was granted; **OR**

b. A recommendation for licensure/advanced salary classification was withheld by the designated recommending agency; **OR**

c. An appeal instituted by the individual through the recommending agency's formal due process procedures was not resolved to the appellant's satisfaction. An individual may not file an appeal through the licensing agency until such time as the appeal has been adjudicated at the local level.

26.10.2. Licensing Agency. - Upon receipt of an appeal, the licensing agency must:

a. Refer the appeal by written notification to the elected chairperson of the Appeal Panel; **AND**

b. Send an acknowledgment letter to the appellant informing the individual that the appeal is being referred to the Appeal Panel; **AND**

c. Send a letter of notification, a copy of the appeal and all attachments provided by the appellant to the responding party.

26.10.3. Responding Party. - The responding party may:

a. File a written response with the licensing agency within 10 days from the date the notice of the appeal was sent to the responding party. A copy of the response from the responding party shall be forwarded to the appellant.

26.10.4. Appellant. - Upon receipt of the response from the responding party, the appellant may:

a. File a written reply to the response within 10 days of the date of the response. The appellant's response shall go the Appeal Panel and the responding party via the licensing agency.

26.10.5. Chair of Appeal Panel. - Upon receipt of the appeal and any responses from the responding party and appellant, the chair of the Appeal Panel shall:

a. Place the appeal on the docket of cases scheduled for review at the next quarterly session, except that appeals received within the 30 days preceding a session may be held over until the following session if time is needed for the responding party and appellant to respond.

26.10.6. Licensing Agency. - The licensing agency shall:

a. Send a letter as soon as possible to the appellant informing her/him of the docket date for the review of the record in her/his appeal; **AND**

b. Send a notice of the session for review of the record or hearing of the appeal to each member of the Appeal Panel at the earliest practicable date. The notice must include the date, time, place and appeals to be considered. If the appeal is scheduled for hearing, the appellant shall be advised, in writing, of the time and place of the hearing and her/his rights set out in these rules. If the appeal is scheduled for review of the record, the appellant shall be notified of the review date.

26.10.7. Appeal Panel Members. - Any Appeal Panel member who is involved in an appeals as an appellant or as an employee of the responding party may not participate in the consideration or adjudication of the case.

26.11. Review of the Record.

26.11.1. Initial Review. - An appeal shall be first considered for adjudication by review of the record by the Appeal Panel. Upon proper notice, the Appeal Panel will convene to consider the appeal upon the administrative record furnished by the appellant and the responding party.

26.11.2. Decision. - After reviewing the record, state law and the licensure regulations, the Appeal Panel shall decide the appeal by voting on whether to grant the appeal and reverse the decision of the responding party or to uphold the decision of the responding party. To reverse the decision of a responding party, at least a majority of the members of the Appeal Panel eligible to participate must vote in favor of the appellant. In the case of a tie vote, a second vote shall be taken. If the vote is still tied, the proposed motion fails. If the Appeal Panel determines that it is necessary to take evidence from witnesses, in addition to the evidence already contained in the record, the appeal will be rescheduled for hearing on the next available date. Notice of such shall be sent to the appellant and responding party.

26.11.3. Notification. - The chairperson of the Appeal Panel shall notify the appellant of the Appeal Panel's decision which shall be made in writing within 14 days after the session. The decision shall include findings of fact and conclusions of law. Copies of the decision shall be sent to the licensing agency and the responding party. The appeal documents shall remain with licensing agency.

26.12. Hearings.

26.12.1. Closed Hearings. - All hearings shall be recorded and shall be closed unless an open hearing is requested by the appellant.

26.12.2. Rules. - The formal rules of evidence shall be relaxed. However, gross violations thereof may be restrained by the chairperson of the Appeal Panel or by a person designated by the chairperson to rule on evidentiary questions.

26.12.3. Appellant. - The appellant has the right to:

- a. Be assisted by counsel or other person of appellant's choosing; **AND**
- b. Receive a copy of all documents submitted to the Appeal Board; **AND**
- c. Receive a transcript or recording of the hearing; **AND**
- d. Present witnesses and cross-examine witnesses, all of whom shall take an oath prior to testifying; **AND**
- e. Have the right to present her/his case first.

26.12.4. Responding Party. - The responding party has the right to:

- a. Be assisted by counsel or other person of the responding party's choosing; **AND**
- b. Receive a copy of all documents submitted to the Appeals Panel; **AND**
- c. Present witnesses and cross-examine witnesses, all of whom shall take an oath prior to testifying.

26.12.5. Appeal Panel. - The Appeal Panel:

a. May take administrative notice of any official record or document maintained by any state agency or subdivision thereof, if authenticated by the custodian thereof; **OR**

b. May take administrative notice of any state law or regulation of a state agency;
AND

c. Shall decide the appeal at the same session and upon consideration of the administrative record, the evidence, state law and the licensing agency's regulations by voting on whether to grant the appeal by reversing the decision of the responding party or to uphold the decision of the responding party.

d. To reverse a decision of a responding party, at least a majority of the members of the Appeal Panel eligible to participate must vote in favor of the appellant. In the case of a tie vote, a second vote shall be taken. If the vote is tied a second time, the proposed motion fails.

26.12.6. Chair of the Appeal Panel. - The chairperson of the Appeal Panel shall:

a. Notify the appellant of the Appeal Panel's decision, which shall be made in writing within 14 days after the hearing. The decision shall include findings of fact and conclusions of law;
AND

b. Send copies of the decision to the responding party and the licensing agency.

26.13. Appeal to State Board of Education.

26.13.1. Any party not satisfied with the decision of the Licensure Appeal Panel may appeal to the State Board , in writing, within 60 days of the Appeal Panel's decision.

26.14. Appeal to the Kanawha County Circuit Court.

26.14.1. Any party not satisfied with the decision of the State Board may appeal to the Kanawha County Circuit Court within 120 days of the date of the State Board's decision.

APPENDIX A
SPECIALIZATIONS RECOGNIZED
ON THE PROFESSIONAL AND VOCATIONAL LICENSES

APPENDIX A
SPECIALIZATIONS CURRENTLY RECOGNIZED
ON THE PROFESSIONAL CERTIFICATE
AND
SPECIALIZATIONS RECOMMENDED FOR DISCONTINUATION

Recognized Programmatic Levels

• Early Education	PreK-K
• Early Childhood	Grades K-4
• Middle Childhood	Grades 5-9 ¹
• Adolescent	Grades 9-12
• Adult	

Grade Level Options for General Education Specializations

Art	Grades K-12, 5-12, 5-9 ¹
Biology	Grades 9-12
Chemistry	Grades 9-12
Driver Education ¹ (Safety Education)	Grades 9-12
Early Childhood Education	Grades K-4
Early Education	PreK-K
Elementary Education ¹	Grades K-6 ¹
English	Grades 5-12, 5-9 ¹
French	Grades 5-12, 5-9 ¹
General Math through Algebra I	Grades 5-12, 5-9 ¹
General Science	Grades 5-12, 5-9 ¹
German	Grades 5-12, 5-9 ¹
Health	Grades K-12, 5-12, K-9 ¹
<u>Journalism</u>	<u>Grades 9-12</u>
Latin	Grades 5-12, 5-9 ¹
Mathematics	Grades 5-12, 5-9 ¹
Middle Childhood--Professional Development	Grades 5-9 ¹
Music	Grades K-12, 5-9 ¹
Oral Communications	Grades 9-12, <u>5-12</u>
Physical Education	Grades K-12, 5-12, 5-9 ¹
Physics	Grades 9-12
Reading Specialist ²	Grades K-12
Russian	Grades 5-12, 5-9 ¹
School-Library Media	Grades K-12
Social Studies	Grades 5-12, 5-9 ¹
Spanish	Grades 5-12, 5-9 ¹
Technology Education	Grades 5-12

¹Grade Level and/or Name Altered

²Master's Degree Required

APPENDIX A

Grade Level Options for Vocational Specializations

Agriculture	Grades 5-12
Business Education	Grades 5-12, 9-12
Consumer & Homemaking	Grades 5-12
Marketing	Grades 9-12

Grade Level Options for Special Education Specializations

Behavior Disorders (Excluding Autism)	K-12
Behavior Disorders (Including Autism)	K-12
Gifted	Grades K-9 ¹ , 5-12
Hearing Impaired	Grades K-9 ¹ , 5-12, K-12
Mentally Impaired Mild/Moderate	Grades 5-12, K-12
Preschool Special Needs ¹ (Preschool Handicapped)	Grades PreK-K
Severely/Profoundly Impaired ¹ (Severely and Profoundly Handicapped)	Not Specified
Vision Impaired	Grades K-9 ¹ , 5-12, K-12

Grade Level Options for Student Support Specializations

Athletic Trainer	Grades 5-12
Counselor ²	Grades K-12, K-9 ¹ , 5-12
Education Audiologist ²	Grades K-12
School Nurse	Grades K-12
School Psychologist ²	Grades K-12
Social Services and Attendance	Grades K-12
Speech Language Pathologist ²	Grades PreK-12

Grade Level Options for Administrative Specializations

Principal ²	Grades K-12, K-9 ¹ , 5-12
Superintendent ²	Not Specified
Supervisor of Instruction ²	Grades K-12
Vocational Administrator ²	Grades 5-Adult

¹Grade Level and/or Name Altered

²Master's Degree Required

APPENDIX A
PROGRAMS RECOMMENDED FOR DISCONTINUATION*

Business Principles	Grades 5-12, 9-12
Physically Handicapped	Grades K-12
Secretarial Studies	Grades 9-12
Occupational Home Economics	Grades 9-12

*The West Virginia Department of Education will continue to issue certificates endorsed for the specializations recommended for discontinuation only to students currently enrolled in the approved programs in these areas.

Note: Recommendations from the Educators for West Virginia's Future for new specializations will be referred to the West Virginia Commission on Professional Teaching Standards.

SPECIALIZATIONS RECOGNIZED ON THE VOCATIONAL LICENSE***

Agriculture and Industrial Maintenance	Fabric Maintenance Services/ Dry-cleaning Facilities Maintenance	Nursing Assistant (Aide)
Air Conditioning and Refrigeration Technology	Forestry Technology	Operations and Servicing- Heavy Equipment
Auto Body Technology	General Building Construction	Ornamental Horticulture
<u>Automotive Technology</u>	Graphic Communications	Pharmacy Technician
Carpentry	Hazardous Waste Management	Piano Tuning and Repair
Civil Technology	Health Assistant	Power Mechanics
Commercial Art/ Advertising Design	Industrial Equipment Maintenance	Practical Nursing (Vocational)
Communications Technology	Interior Design	Quantity Foods Occupations
Computer Integrated Manufacturing	Machine Tool Technology	Respiratory Therapy Technician
Computer Systems and Operational Support	Masonry	Sheet Metal
Conventional/Computer Aided Drafting	Materials Handling and Inventory Control	Small Engine Repair
Cosmetology	Medical Assistant	Surgical Technician
Culinary Arts	Medical Laboratory Assisting	Textile Production and Fabrics
Dental Assisting	Medical Transcription	Truck Driving Training
Dental Laboratory Technology	Metal Trades Combined	Welding Technology
Diesel Equipment Technology	Millwork and Cabinet making	
Electrical Technology		
Electronics Technology		

***All of these specializations are issued at the 9-Adult level.

**APPENDIX B
REQUIRED TESTS FOR WEST VIRGINIA LICENSURE**

**APPENDIX B
REQUIRED TESTS FOR WEST VIRGINIA LICENSURE**

PREPROFESSIONAL SKILLS¹

	Praxis I			
	Paper/Pencil Version		Computer-Based Version	
	Test Code	Required Score	Test Code	Required Score
Reading	710	172	711	319
Writing	720	171	721	316
Mathematics	730	172	731	317

OR	American College Testing Program	
	Required Score	Required Score
	25	26 (Enhanced - Effective November 1989)

OR	Scholastic Achievement Test	
	Required Score	Required Score
	1035	1125 (Recentred - Effective April 1995)

PROFESSIONAL EDUCATION²

Praxis II		
	Test Code	Required Score
Professional Education Principles of Learning and Teaching, Grades K-6	0522	152
Principles of Learning and Teaching, Grades 5-9	0523	To be determined ³
Principles of Learning and Teaching, Grades 7-12	0524	144

¹There are several exemptions to the PPST as indicated in §126-136-14.1.3.e.D. This Appendix **ONLY** includes exemptions based on ACT or SAT scores. Please refer to the appropriate policy section for other exemptions.

²Persons completing West Virginia programs leading to the initial teaching license after September 1, 1997, or out-of-state applicants applying on or after September 1, 1997, shall pass a West Virginia Board of Education adopted Principles of Learning and Teaching Praxis test that includes at least a portion of the grade levels indicated on the anticipated license.

³Licensure candidates who enroll for the Praxis II, Principles of Learning and Teaching in Grades 5-9, during the October 1997 test administration will be required to meet the passing test score that will be established following the first administration of the test.

APPENDIX B
REQUIRED TESTS FOR WEST VIRGINIA LICENSURE (CONT'D)
CONTENT SPECIALIZATION TESTS⁴

Praxis II		
Current General/Vocational Education Specializations	Required Test(s)	Required Score(s)
Agriculture	0700	430
Art	0133	146
Biology	0235	152
Business Education or Business Principles	0100	570
Chemistry	0245	150
Chemistry and Physics	0245 0265	150 126
Consumer and Homemaking	0120	530
Coordinator of Cooperative Education	No test required	NA
Early Education (PreK-K)	0530	590
English/Language Arts	0041	151
French	0173	131
General Math through Algebra 1	0067	146
General Science	0231 ⁵ 0481 ⁵ 0432	135 133 142
German	0181	132
Health Education	0550	620
Journalism	No test required	NA
Latin	0600	480
Marketing	0560	600
Mathematics (Comprehensive)	0061 ⁶	133

⁴Persons completing middle school endorsements except in mathematics and Professional Development: Middle Childhood Education, are not required to take a Praxis II specialty area test.

⁵A passing test score submitted for the Biology endorsement may be substituted for the Biology test requirement indicated for General Science. Also, a passing score submitted for the Chemistry or Physics endorsement may be substituted for the Physical Science test requirement indicated for General Science.

⁶Persons completing a middle school Mathematics (comprehensive) endorsement must take the General Math test (0067).

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Praxis II		
Current General/Vocational Education Specializations	Required Test(s)	Required Score(s)
Multi-Subjects, grades K-8	0011	148
Multi-Subjects, grades K-4	0020	530
Music	0113	143
Occupational Home Economics	No test required	NA
Oral Communications	0220	600
Physical Education	0091	150
Physics	0265	126
Prevocational Exploration	No test required	NA
Professional Development: Middle Childhood Education	0523	To be determined ³
Reading Specialist	0300	520
Russian	No test required	NA
Safety Education	0867	141
School-Library Media	0310	520
Secretarial Studies	No test required	NA
Social Studies	0081	144
Spanish	0191	143
Technology Education	0050	570
Current Special Education Specializations		
Behavior Disorders (including and excluding Autism)	0371	136
	0351 ⁷	119
Gifted	0357	161
Hearing Impaired	No test required	NA
Mentally Impaired (Mild/Moderate)	0321	124
	0351 ⁷	119
Physically Handicapped	No test required	NA

³Licensure candidates who enroll for the Praxis II, Principles of Learning and Teaching in Grades 5-9, during the October 1997 test administration will be required to meet the passing test score that will be established following the first administration of the test.

⁷A passing content specialization test (NES Test) in Behavior Disorders, Mental Impairment (mild/moderate) or Specific Learning Disabilities may be used to satisfy the Knowledge-Based Core Principles testing requirement (0351) indicated for these tests in the Praxis series.

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Praxis II		
Current Special Education Specializations	Required Test(s)	Required Score(s)
Preschool Handicapped	0690	510
Severely and Profoundly Handicapped	No test required	NA
Specific Learning Disabilities	0381	124
	0351 ⁷	119
Visually Impaired	No test required	NA
Current Student Support Services Specializations		
Athletic Trainer ⁸	0097	158
School Counselor	0420	560
Education Audiologist	0340	540
School Nurse	No test required	NA
School Psychologist	0400	540
Social Services and Attendance	0210	560
Speech-Language Pathologist	0330	510
Current Administration/Supervision Specializations		
Principal, Superintendent, Supervisor of Instruction, and Vocational Administrator	0410	520

⁷A passing content specialization test (NES Test) in Behavior Disorders, Mental Impairment (mild/moderate) or Specific Learning Disabilities may be used to satisfy the Knowledge-Based Core Principles testing requirement (0351) indicated for these tests in the Praxis series.

⁸Persons holding current National Athletic Trainers Association membership are exempt from taking the Praxis Athletic Trainer test.

APPENDIX B

REQUIRED TESTS FOR THE VOCATIONAL PERMIT
AND VOCATIONAL CERTIFICATEBASIC SKILLS⁹

California Achievement Tests Required for Vocational Educators Required Score		
	Vocational Permit	Vocational Certificate
Reading	765	774
Writing	749	760
Mathematics	768	780

Content Specializations		
	Permit Issuance ¹⁰	Permit Renewal ¹⁰
Vocational Technical Occupations ¹¹	Written Section of NOCTI (Policy 5106)	Written and Performance Sections of NOCTI (Policy 5106) ¹²
Practical Nursing	Valid WV License as RN	
Nursing Assistant & Health Assistant	Valid WV License as RN	
Medical Assistant	Valid AAMA or <u>AMT</u> Certificate	
Medical Lab Technician	Valid Certificate from ASCP or AMT or ISCLT	
Dental Assistant	Valid Certificate from DANB	
Dental Lab Technician	Valid Certificate from NBC in Dental Laboratory Technology	
Other Health Occupations	Valid Certificate or License from the appropriate state or national organization	

⁹Exemptions to the Basic Skills Tests are identified in WV 126CSR136, Policy 5202. This Appendix **ONLY** includes exemptions based on ACT and SAT scores. Please refer to Policy 5202 for other exemptions.

¹⁰The testing components and scores established for the issuance of a permit and the renewal of a permit are also required for the issuance of a Vocational Certificate.

¹¹If a NOCTI test or a national or state certificate or license is not available, content specialization tests shall be developed or obtained from other sources.

¹²The minimum scores for passing the NOCTI test shall be one-half of a standard deviation below the mean plus the standard error of measurement.

2/20/98

FISCAL NOTE WORKSHEET

(Submit 4 Copies)

HD NO _____ DRAFT NO _____ BILL NO _____ RESOLUTION NO _____

SUBJECT Policy 5202 Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications FUND _____

SOURCE OF REVENUE: GENERAL FUND SPECIAL OTHER (SPECIFY) _____

COST OF ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

INCOME 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
1. ESTIMATED TOTAL COST	\$	\$	\$	\$	\$
PERSONAL SERVICES CURRENT EXPENSES REPAIRS/ALTERATIONS EQUIPMENT OTHER	\$	\$	\$	\$	\$
2. ESTIMATED TOTAL REVENUES	\$	\$	\$	\$	\$

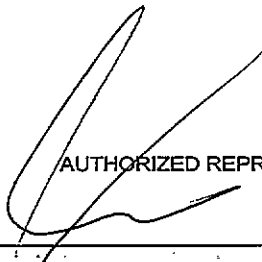
3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

There is no fiscal impact related to these amendments.

DATE
2/20/98

AGENCY
Department of Education

AUTHORIZED REPRESENTATIVE



RESPONSE

Policy 5202 Minimum Requirements for the Licensure of
Professional/Paraprofessional Personnel and Advanced Salary Classifications

Directions: Please use this form to comment on proposed amendments to Policy 5202

Individual/Organization: _____

Address:

Comments on Policy 5202 Minimum Requirements for the Licensure of
Professional/Paraprofessional Personnel and Advanced Salary Classifications

§126-136-19.1.3 Common Conditions for Issuance

§126-136-19.1.4.b.C. Medical Assistant

§126-136-19.2 Renewal of the Vocational Permit

§126-136-23.1.h Jobs for West Virginia Graduates

§126-136-24.2.7 Undergraduate Credit for Advanced Salary Purposes

§126-136-24.4 Dating of Advanced Salary Classifications

RETURN BY APRIL 17, 1998

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