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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2004



ENROLLED

House Bill No. 4553

(By Delegates Tabb, Swartzmiller, Crosier, Hartman,
Poling, Renner and Long)



Passed March 13, 2004

In Effect from Passage

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H. B. 4553

(BY DELEGATES TABB, SWARTZMILLER, CROSIER, HARTMAN,
POLING, RENNER AND LONG)

[Passed March 13, 2004; in effect from passage.]

AN ACT to amend and reenact §18A-3-1 of the code of West Virginia, 1931, as amended, relating to standards for awarding certificates to teach in the public schools; and establishing condition on award of certificates to teachers certified by another state.

Be it enacted by the Legislature of West Virginia:

That §18A-3-1 of the code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 3. TRAINING, CERTIFICATION, LICENSING, PROFESSIONAL DEVELOPMENT.

§18A-3-1. Teacher preparation programs; program approval and standards; authority to issue teaching certificates.

- 1 (a) The education of professional educators in the state shall
- 2 be under the general direction and control of the state board of
- 3 education after consultation with the secretary of education and
- 4 the arts and the chancellor for higher education who shall

5 represent the interests of teacher preparation programs within
6 the institutions of higher education in this state as those
7 institutions are defined in section two, article one, chapter
8 eighteen-b of this code.

9 The education of professional educators in the state
10 includes all programs leading to certification to teach or serve
11 in the public schools including: (1) Those programs in all
12 institutions of higher education, including student teaching in
13 the public schools; (2) beginning teacher internship programs;
14 (3) the granting of West Virginia certification to persons who
15 received their preparation to teach outside the boundaries of this
16 state, except as provided in subsection (b) of this section; (4)
17 any alternative preparation programs in this state leading to
18 certification, including programs established pursuant to the
19 provisions of section one-a of this article and programs which
20 are in effect on the effective date of this section; and (5) any
21 continuing professional education, professional development
22 and in-service training programs for professional educators
23 employed in the public schools in the state.

24 (b) The state board of education, after consultation with the
25 secretary of education and the arts and the chancellor for higher
26 education who shall represent the interests of teacher prepara-
27 tion programs within the institutions of higher education in this
28 state as those institutions are defined in section two, article one,
29 chapter eighteen-b of this code, shall adopt standards for the
30 education of professional educators in the state and for the
31 awarding of certificates valid in the public schools of this state
32 subject to the following conditions:

33 (1) The standards approved by the board for teacher
34 preparation shall include a provision for the study of multicul-
35 tural education. As used in this section, multicultural education
36 means the study of the pluralistic nature of American society

37 including its values, institutions, organizations, groups, status
38 positions and social roles;

39 (2) Effective the first day of January, one thousand nine
40 hundred ninety-three, the standards approved by the board shall
41 also include a provision for the study of classroom management
42 techniques and shall include methods of effective management
43 of disruptive behavior which shall include societal factors and
44 their impact on student behavior; and

45 (3) Effective on the effective date of this section, any
46 teacher who has graduated from a teacher preparation program
47 at a regionally accredited institution of higher education and
48 who holds a valid teaching certificate or certificates issued by
49 another state shall be, upon application, awarded a teaching
50 certificate or certificates for the same grade level or levels and
51 subject area or areas valid in the public schools of this state,
52 subject only to the provisions of section ten of this article.

53 (c) To give prospective teachers the teaching experience
54 needed to demonstrate competence as a prerequisite to certifica-
55 tion, the state board of education may enter into an agreement
56 with county boards for the use of the public schools. Such
57 agreement shall recognize student teaching as a joint responsi-
58 bility of the teacher preparation institution and the cooperating
59 public schools and shall include: (1) The minimum qualifica-
60 tions for the employment of public school teachers selected as
61 supervising teachers; (2) the remuneration to be paid public
62 school teachers by the state board, in addition to their contrac-
63 tual salaries, for supervising student teachers; and (3) minimum
64 standards to guarantee the adequacy of the facilities and
65 program of the public school selected for student teaching. The
66 student teacher, under the direction and supervision of the
67 supervising teacher, shall exercise the authority of a substitute
68 teacher.

69 (d) The state superintendent of schools may issue certifi-
70 cates to graduates of teacher education programs and alternative
71 teacher education programs approved by the state board of
72 education and in accordance with this section and rules adopted
73 by the state board after consultation with the secretary of
74 education and the arts and the chancellor for higher education.
75 A certificate to teach shall not be granted to any person who is
76 not a citizen of the United States, is not of good moral character
77 and physically, mentally and emotionally qualified to perform
78 the duties of a teacher and who has not attained the age of
79 eighteen years on or before the first day of October of the year
80 in which his or her certificate is issued; except that an exchange
81 teacher from a foreign country, or an alien person who meets
82 the requirements to teach, may be granted a permit to teach
83 within the public schools of the state.

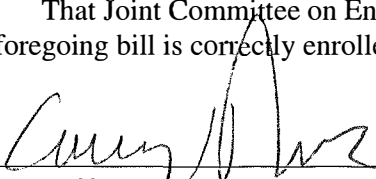
84 (e) In consultation with the secretary of education and the
85 arts and the chancellor for higher education, institutions of
86 higher education approved for teacher preparation may cooper-
87 ate with each other, with the center for professional develop-
88 ment and with one or more county boards in the organization
89 and operation of centers to provide selected phases of the
90 teacher preparation program such as student teaching, begin-
91 ning teacher internship programs, instruction in methodology
92 and seminar programs for college students, teachers with
93 provisional certification, professional support team members
94 and supervising teachers.

95 The institutions of higher education, the center for profes-
96 sional development and county boards may by mutual agree-
97 ment budget and expend funds for the operation of the centers
98 through payments to the appropriate fiscal office of the partici-
99 pating institutions, the center for professional development and
100 the county boards.

101 (f) The provisions of this section shall not be construed to
102 require the discontinuation of an existing student teacher
103 training center or school which meets the standards of the state
104 board of education.

105 (g) All institutions of higher education approved for teacher
106 preparation in the school year of one thousand nine hundred
107 sixty-two—sixty-three shall continue to hold that distinction so
108 long as they meet the minimum standards for teacher prepara-
109 tion. Nothing contained herein shall infringe upon the rights
110 granted to any institution by charter given according to law
111 previous to the adoption of this code.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



Chairman Senate Committee



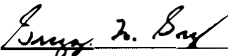
Chairman House Committee

Originating in the House.

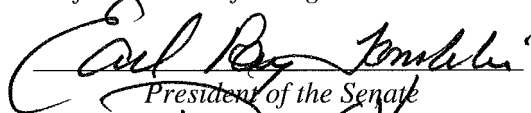
In effect from passage.



Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker of the House of Delegates

The within is approved this the 5th
day of April, 2004.



Governor

PRESENTED TO
GOVERNOR
DATE 3-31-04
TIME 10:30 AM