

S
HB 4626
HB

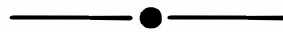
FILED

2006 MAR 31 P 2: 43

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2006



ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 4626

(By Mr. Speaker, Mr. Kiss)



Passed March 11, 2006

In Effect from Passage

1

FILED

2006 MAR 31 P 2:43

OFFICE WEST VIRGINIA
SECRETARY OF STATE

E N R O L L E D

COMMITTEE SUBSTITUTE

FOR

H. B. 4626

(BY MR. SPEAKER, MR. KISS)

[Passed March 11, 2006; in effect from passage.]

AN ACT to amend and reenact §18A-3-1 of the Code of West Virginia, 1931, as amended, relating to educator preparation programs generally; adding requirements for the student teaching experience agreement; and providing for an alternate student teaching experience in a nonpublic school setting in lieu of the student teaching experience required in a public school setting.

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 is
2 under the general direction and control of the state board after
3 consultation with the Secretary of Education and the Arts and
4 the Chancellor for Higher Education who shall represent the
5 interests of educator preparation programs within the institu-
6 tions of higher education in this state as those institutions are
7 defined in section two, article one, chapter eighteen-b of this
8 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:

12 (1) Those programs in all institutions of higher education,
13 including student teaching as provided in this section;

14 (2) Beginning teacher internship programs;

15 (3) The granting of West Virginia certification to persons
16 who received their preparation to teach outside the boundaries
17 of this state, except as provided in subsection (b) of this section;

18 (4) Any alternative preparation programs in this state
19 leading to certification, including programs established pursu-
20 ant to the provisions of section one-a of this article and pro-
21 grams which are in effect on the effective date of this section;
22 and

23 (5) Any continuing professional education, professional
24 development and in-service training programs for professional
25 educators employed in the public schools in the state.

26 (b) The state board, after consultation with the Secretary of
27 Education and the Arts and the Chancellor for Higher Educa-
28 tion, shall adopt standards for the education of professional
29 educators in the state and for awarding certificates valid in the
30 public schools of this state. The standards shall include, but not
31 be limited to the following:

32 (1) A provision for the study of multicultural education. As
33 used in this section, multicultural education means the study of
34 the pluralistic nature of American society including its values,
35 institutions, organizations, groups, status positions and social
36 roles;

37 (2) A provision for the study of classroom management
38 techniques, including methods of effective management of
39 disruptive behavior which shall include societal factors and
40 their impact on student behavior; and

41 (3) Subject to the provisions of section ten of this article, a
42 teacher from another state shall be awarded a teaching certifi-
43 cate for a comparable grade level and subject area valid in the
44 public schools of this state, if he or she:

45 (A) Holds a valid teaching certificate or a certificate of
46 eligibility issued by another state;

47 (B) Has graduated from an educator preparation program at
48 a regionally accredited institution of higher education;

49 (C) Possesses the minimum of a bachelor's degree; and

50 (D) Meets all of the requirements of the state for full
51 certification except employment.

52 (c) To give prospective teachers the teaching experience
53 needed to demonstrate competence as a prerequisite to certifica-
54 tion to teach in the West Virginia public schools, the state board
55 may enter into an agreement with county boards for the use of
56 the public schools.

57 (d) An agreement established pursuant to subsection (c) of
58 this section shall recognize student teaching as a joint responsi-
59 bility of the educator preparation institution and the cooperating
60 public schools and shall include:

61 (1) The minimum qualifications for the employment of
62 public school teachers selected as supervising teachers, includ-
63 ing the requirement that field-based and clinical experiences be
64 supervised by a teacher fully certified in the state in which that
65 teacher is supervising;

66 (2) The remuneration to be paid public school teachers by
67 the State Board, in addition to their contractual salaries, for
68 supervising student teachers;

69 (3) Minimum standards to guarantee the adequacy of the
70 facilities and program of the public school selected for student
71 teaching;

72 (4) That the student teacher, under the direction and
73 supervision of the supervising teacher, shall exercise the
74 authority of a substitute teacher; and

75 (5) A provision requiring any higher education institution
76 with an educator preparation program to document that the
77 student teacher's field-based and clinical experiences include
78 participation and instruction with multicultural, at-risk and
79 exceptional children at each programmatic level for which the
80 student teacher seeks certification.

81 (e) Beginning the fall, two thousand six – two thousand
82 seven academic term, in lieu of the student teaching experience
83 in a public school setting required by this section, an institution
84 of higher education may provide an alternate student teaching
85 experience in a nonpublic school setting if the institution of
86 higher education:

87 (1) Complies with the provisions of this section;

88 (2) Has a state board approved educator preparation
89 program; and

90 (3) Enters into an agreement pursuant to subdivisions (f)
91 and (g) of this section.

92 (f) At the discretion of the higher education institution, an
93 agreement for an alternate student teaching experience between
94 an institution of higher education and a nonpublic school shall
95 require that either:

96 (1) The student teacher complete at least one-half of the
97 clinical experience in a public school; or

98 (2) The educator preparation program include a requirement
99 that any student performing student teaching in a nonpublic
100 school complete at least:

101 (A) Two hundred clock hours of field-based training in a
102 public school; and

103 (B) A course, which is a component of the institution's state
104 board approved educator preparation program, that provides to
105 prospective teachers information that is equivalent to the
106 teaching experience needed to demonstrate competence as a
107 prerequisite to certification to teach in the public schools in
108 West Virginia. The course shall include instruction on at least
109 the following elements:

110 (i) State board policy and provisions of this code governing
111 public education;

112 (ii) Requirements for federal and state accountability,
113 including the mandatory reporting of child abuse;

114 (iii) Federal and state mandated curriculum and assessment
115 requirements, including multicultural education, safe schools
116 and student code of conduct;

117 (iv) Federal and state regulations for the instruction of
118 exceptional students as defined by the Individuals with Disabili-
119 ties Education Act, 20 U.S.C. §1400 *et seq.*;

120 (v) Varied approaches for effective instruction for students
121 who are at-risk;

122 (g) In addition to the requirements set forth in subsection (f)
123 of this section, an agreement for an alternate student teaching
124 experience between an institution of higher education and a
125 nonpublic school shall:

126 (1) Require that the higher education institution with an
127 educator preparation program document that the student
128 teacher's field-based and clinical experiences include participa-
129 tion and instruction with multicultural, at-risk and exceptional
130 children at each programmatic level for which the student
131 teacher seeks certification; and

132 (2) Include the minimum qualifications for the employment
133 of school teachers selected as supervising teachers, including
134 the requirement that field-based and clinical experiences be
135 supervised by a teacher fully certified in the state in which that
136 teacher is supervising.

137 (h) The state superintendent may issue certificates to
138 graduates of educator preparation programs and alternative
139 educator preparation programs approved by the state board. The
140 certificates are issued in accordance with this section and rules
141 adopted by the State Board after consultation with the Secretary
142 of Education and the Arts and the Chancellor for Higher
143 Education.

144 (1) A certificate to teach may be granted only to any person
145 who is:

146 (A) A citizen of the United States, except as provided in
147 subdivision (2) of this subsection;

148 (B) Is of good moral character;

149 (C) Physically, mentally and emotionally qualified to
150 perform the duties of a teacher; and

151 (D) At least eighteen years on or before the first day of
152 October of the year in which his or her certificate is issued.

153 (2) A permit to teach in the public schools of this state may
154 be granted to a person who is an exchange teacher from a
155 foreign country, or an alien person who meets the requirements
156 to teach.

157 (i) In consultation with the Secretary of Education and the
158 Arts and the Chancellor for Higher Education, institutions of
159 higher education approved for educator preparation may
160 cooperate with each other, with the Center for Professional
161 Development and with one or more county boards to organize
162 and operate centers to provide selected phases of the educator
163 preparation program. The phases include, but are not limited to:

164 (1) Student teaching;

165 (2) Beginning teacher internship programs;

166 (3) Instruction in methodology; and

167 (4) Seminar programs for college students, teachers with
168 provisional certification, professional support team members
169 and supervising teachers.

170 The institutions of higher education, the Center for Profes-
171 sional Development and county boards may by mutual agree-
172 ment budget and expend funds to operate the centers through
173 payments to the appropriate fiscal office of the participating

174 institutions, the center for professional development and the
175 county boards.

176 (j) The provisions of this section do not require discontinua-
177 tion of an existing student teacher training center or school
178 which meets the standards of the state board.

179 (k) All institutions of higher education approved for
180 educator preparation in the one thousand nine hundred
181 sixty-two—sixty-three school year shall continue to hold that
182 distinction so long as they meet the minimum standards for
183 educator preparation. Nothing in this section infringes upon the
184 rights granted to any institution by charter given according to
185 law previous to the adoption of this code.

186 (l) Notwithstanding any other provision of this section, nor
187 any other provision of rule, law or this code to the contrary, an
188 institution of higher education may enter into an agreement
189 with a nonpublic school:

190 (1) For the purposes of this section regarding student
191 teaching;

192 (2) For the spring, two thousand six academic term only;

193 (3) If the institution is approved for educator preparation by
194 the state board; and

195 (4) If the institution had entered into the agreement for that
196 academic term prior to the effective date of this section.

197 (m) As used in this section:

198 (1) "Nonpublic school" means a private school, parochial
199 school, church school, school operated by a religious order or
200 other nonpublic school that elects to:

201 (A) Comply with the provisions of article twenty-eight,
202 chapter eighteen of this code;

203 (B) Participate on a voluntary basis in a state operated or
204 state sponsored program provided to such schools pursuant to
205 this section; and

206 (C) Comply with the provisions of this section;

207 (2) "At-risk" means having the potential for academic
208 failure, including, but not limited to the risk of dropping out of
209 school, involvement in delinquent activity or poverty as
210 indicated by free or reduced lunch status; and

211 (3) "Exceptional children" has the meaning ascribed
212 pursuant to section one, article twenty, chapter eighteen of this
213 code, but does not include gifted students.

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

Chandy White
Chairman Senate Committee

R. Bruen
Chairman House Committee

Originating in the House.

In effect from passage.

Darrell E. Gibson
Clerk of the Senate

Ernest M. Boy
Clerk of the House of Delegates

Earl Ray Tomblin
President of the Senate

Robert D. ...
Speaker of the House of Delegates

The within *is approved* this the *31st*
day of *March*, 2006.

[Signature]
Governor

PRESENTED TO THE
GOVERNOR

MAR 27 2006

Time 4:15 pm