WEST VIRGINIA CODE: §18A-3-1F

§18A-3-1f. Alternative program participation; eligibility for alternative program certificate; contract renewals; hiring preference.

(a) Alternative program participation. — A person may not participate in an alternative program unless he or she holds an alternative program teacher certificate issue by the state superintendent for the alternative program position in which he or she will be teaching. An alternative program teacher certificate is the same as a professional teaching certificate for the purpose of issuing a continuing contract.

(b) *Eligibility for alternative program teacher certificate*. — To be eligible for an alternative program teacher certificate, a person shall:

(1) Possess at least a bachelor's degree from a regionally accredited institution of higher education;

(2) Pass the same basic skills and subject matter test or tests required by the state board for traditional program candidates to become certified in the area for which he or she is seeking licensure;

(3) Hold United States citizenship or, if a noncitizen of the United States, hold a valid Permanent Resident Card, Employment Authorization Document (EAD), or work permit issued by the United States Citizenship and Immigration Services (USCIS);

(4) Be of good moral character;

(5) Be physically, mentally, and emotionally qualified to perform the duties of a teacher;

(6) Attain the age of 18 years on or before October 1 of the year in which the alternative program teacher certificate is issued;

(7) Receive from a county superintendent a formal offer of employment in an area of critical need and shortage and by a school or school district that is a member of an approved educational provider;

(8) Have relevant academic or occupational qualifications that reasonably indicate that the person will be competent to fill the teaching position in which he or she would be employed. For the purposes of this section, “reasonably indicate” means an academic major or occupational area the same as or similar to the subject matter to which the alternative program teacher is being hired to teach; and

(9) Qualify for employment after a criminal history check made pursuant to §18A-3-10 of this code.

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(c) *Eligibility for alternative program certificate: American Sign Language*. — If a person seeks certification to teach American Sign Language, in lieu of subdivisions (1) and (2), subsection (b) of this section, he or she shall pass one or more appropriate state board-approved tests demonstrating his or her proficiency in American Sign Language.

(d) *Eligibility for alternative program certificate: selected vocational and technical areas*. — If a person seeks certification to teach in selected vocational and technical areas, in lieu of subdivisions (1) and (2), subsection (b) of this section, he or she shall pass one or more appropriate state board-approved tests demonstrating his or her proficiency in the basic skills and occupational content areas.

(e) *Contract renewals*. —

(1) A county board shall renew an alternative program teacher's contract from year to year as long as he or she makes satisfactory progress in the applicable alternative education program and until he or she completes the alternative program, except as provided in subdivision (2) of this subsection.

(2) If the school or school district that employs the alternative program teacher reduces its overall number of teachers, the alternative program teacher is subject to the same force reduction rules and procedures as any other employee, except those that relate to seniority. In no event will an alternative program teacher displace a professional educator as defined in §18A-1-1 of this code.

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