WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2005

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ENROLLED

House Bill No. 2350

(By Delegates Schadler, Marshall, Leggett and Williams)

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Passed April 5, 2005

In Effect Ninety Days from Passage
ENROLLED

H. B. 2350

(By Delegates Schadler, Marshall, Leggett and Williams)

[Passed April 5, 2005; in effect ninety days from passage.]

AN ACT to amend and reenact §18A-3-1 of the Code of West Virginia, 1931, as amended, relating to conditions for awarding teaching certificates.

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.

(a) The education of professional educators in the state shall be under the general direction and control of the State Board of Education after consultation with the Secretary of Education and the Arts and the chancellor for higher education who shall represent the interests of teacher preparation programs within the institutions of higher education in this state as those
institutions are defined in section two, article one, chapter eighteen-b of this code.

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

(b) The State Board of Education, after consultation with the Secretary of Education and the Arts and the chancellor for higher education who shall represent the interests of teacher preparation programs within the institutions of higher education in this state as those institutions are defined in section two, article one, chapter eighteen-b of this code, shall adopt standards for the education of professional educators in the state and for the awarding of certificates valid in the public schools of this state subject to the following conditions:

(1) The standards approved by the Board for teacher preparation shall include a provision for the study of multicultural education. As used in this section, multicultural education means the study of the pluralistic nature of American society including its values, institutions, organizations, groups, status positions and social roles;
(2) Effective the first day of January, one thousand nine hundred ninety-three, the standards approved by the Board shall also include a provision for the study of classroom management techniques and shall include methods of effective management of disruptive behavior which shall include societal factors and their impact on student behavior; and

(3) Effective on the effective date of this section, any teacher who: (i) Has graduated from a teacher preparation program at a regionally accredited institution of higher education; (ii) possesses the minimum of a bachelor’s degree; and (iii) holds a valid teaching certificate or certificates issued by another state, or holds a certificate of eligibility issued by another state and meets all of the requirements of the state for full certification except employment, shall be, upon application, awarded a teaching certificate or certificates for the same grade level or levels and subject area or areas valid in the public schools of this state, subject only to the provisions of section ten of this article.

(c) To give prospective teachers the teaching experience needed to demonstrate competence as a prerequisite to certification, the State Board of Education may enter into an agreement with county boards for the use of the public schools. Such agreement shall recognize student teaching as a joint responsibility of the teacher preparation institution and the cooperating public schools and shall include: (1) The minimum qualifications for the employment of public school teachers selected as supervising teachers; (2) the remuneration to be paid public school teachers by the State Board, in addition to their contractual salaries, for supervising student teachers; and (3) minimum standards to guarantee the adequacy of the facilities and program of the public school selected for student teaching. The student teacher, under the direction and supervision of the supervising teacher, shall exercise the authority of a substitute teacher.
(d) The State Superintendent of Schools may issue certificates to graduates of teacher education programs and alternative teacher education programs approved by the State Board of Education and in accordance with this section and rules adopted by the State Board after consultation with the Secretary of Education and the Arts and the chancellor for higher education. A certificate to teach shall not be granted to any person who is not a citizen of the United States, is not of good moral character and physically, mentally and emotionally qualified to perform the duties of a teacher and who has not attained the age of eighteen years on or before the first day of October of the year in which his or her certificate is issued; except that an exchange teacher from a foreign country, or an alien person who meets the requirements to teach, may be granted a permit to teach within the public schools of the state.

(e) In consultation with the Secretary of Education and the Arts and the chancellor for higher education, institutions of higher education approved for teacher preparation may cooperate with each other, with the center for professional development and with one or more county boards in the organization and operation of centers to provide selected phases of the teacher preparation program such as student teaching, beginning teacher internship programs, instruction in methodology and seminar programs for college students, teachers with provisional certification, professional support team members and supervising teachers.

The institutions of higher education, the center for professional development and county boards may by mutual agreement budget and expend funds for the operation of the centers through payments to the appropriate fiscal office of the participating institutions, the center for professional development and the county boards.
(f) The provisions of this section shall not be construed to require the discontinuation of an existing student teacher training center or school which meets the standards of the State Board of Education.

(g) All institutions of higher education approved for teacher preparation in the school year of one thousand nine hundred sixty-two—sixty-three shall continue to hold that distinction so long as they meet the minimum standards for teacher preparation. Nothing contained herein shall infringe upon the rights granted to any institution by charter given according to law 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 ninety days 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 14th day of April, 2005.

Governor
PRESENTED TO THE GOVERNOR

Date 4/12/05
Time 2:50