

# WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

Committee Substitute

for

**House Bill 2771**

BY DELEGATES UPSON, ESPINOSA, STATLER, BLAIR,  
COOPER, AMBLER, HOUSEHOLDER, MOORE, BUTLER,

KESSINGER AND LEWIS

[Passed April 8, 2017; in effect ninety days from passage.]

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

2017 APR 24 P 4: 16

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1 AN ACT to amend and reenact §18A-3-2a of the Code of West Virginia, 1931, as amended,  
2 relating to teaching certificates for teachers whose spouses are members of the Armed  
3 Forces who are on active duty stationed in this state or within fifty air miles of the West  
4 Virginia border.

*Be it enacted by the Legislature of West Virginia:*

1 That §18A-3-2a of the Code of West Virginia, 1931, as amended, be amended and  
2 reenacted to read as follows:

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

**§18A-3-2a. Certificates valid in the public schools that may be issued by the state  
superintendent.**

1 In accordance with state board rules for the education of professional educators adopted  
2 pursuant to section one of this article and subject to the limitations and conditions of that section,  
3 the state superintendent may issue the following certificates valid in the public schools of the  
4 state:

5 (a) *Professional teaching certificates.* —

6 (1) A professional teaching certificate for teaching in the public schools may be issued to  
7 a person who meets the following conditions:

8 (A) Holds at least a bachelor's degree from a regionally accredited institution of higher  
9 education, and

10 (i) Has passed appropriate state board approved basic skills and subject matter tests in  
11 the area for which licensure is being sought; and

12 (ii) Has completed a program for the education of teachers which meets the requirements  
13 approved by the state board; or

14 (iii) Has met equivalent standards at institutions in other states; or

15 (iv) Has completed three years of successful teaching experience within the last seven  
16 years under a license issued by another state in the area for which licensure is being sought; or

17 (v) Has completed an alternative program approved by another state; or

18 (B) Holds at least a bachelor's degree from an accredited institution of higher education;

19 and

20 (i) Has passed appropriate state board approved basic skills and subject matter tests; and

21 (ii) Has completed an alternative program for teacher education as provided in this article;

22 and

23 (iii) Is recommended for a certificate in accordance with the provisions of section one-i of  
24 this article relating to the program; and

25 (iv) Is recommended by the state superintendent based on documentation submitted.

26 (2) The certificate shall be endorsed to indicate the grade level or levels or areas of  
27 specialization in which the person is certified to teach or to serve in the public schools.

28 (3) The initial professional certificate is issued provisionally for a period of three years from  
29 the date of issuance:

30 (A) The certificate may be converted to a professional certificate valid for five years subject  
31 to successful completion of a beginning teacher induction program, if applicable; or

32 (B) The certificate may be renewed subject to rules adopted by the state board.

33 (b) *Alternative program teacher certificate.* — An alternative program teacher certificate  
34 may be issued to a candidate who is enrolled in an alternative program for teacher education  
35 approved by the state board.

36 (1) The certificate is valid only for the alternative program position in which the candidate  
37 is employed and is subject to enrollment in the program.

38 (2) The certificate is valid while the candidate is enrolled in the alternative program, up to  
39 a maximum of three years, and may not be renewed.

40 (c) *Professional administrative certificate.* —

41 (1) A professional administrative certificate, endorsed for serving in the public schools,  
42 with specific endorsement as a principal, vocational administrator, supervisor of instructions or  
43 superintendent, may be issued to a person who has completed requirements all to be approved  
44 by the state board as follows:

45 (A) Holds at least a master's degree from an institution of higher education accredited to  
46 offer a master's degree; and

47 (i) Has successfully completed an approved program for administrative certification  
48 developed by the state board in cooperation with the chancellor for higher education, and

49 (ii) Has successfully completed education and training in evaluation skills through the  
50 center for professional development, or equivalent education and training in evaluation skills  
51 approved by the state board, and

52 (iii) Possesses three years of management level experience.

53 (2) Any person serving in the position of dean of students on June 4, 1992, is not required  
54 to hold a professional administrative certificate.

55 (3) The initial professional administrative certificate is issued provisionally for a period of  
56 five years. This certificate may be converted to a professional administrative certificate valid for  
57 five years or renewed, subject to the regulations of the state board.

58 (d) *Paraprofessional certificate.* — A paraprofessional certificate may be issued to a  
59 person who meets the following conditions:

60 (1) Has completed thirty-six semester hours of post-secondary education or its equivalent  
61 in subjects directly related to performance of the job, all approved by the state board; and

62 (2) Demonstrates the proficiencies to perform duties as required of a paraprofessional as  
63 defined in section eight, article four of this chapter.

64 (e) *Other certificates; permits.* —

65 (1) Other certificates and permits may be issued, subject to the approval of the state board,  
66 to persons who do not qualify for the professional or paraprofessional certificate.

67 (2) A certificate or permit may not be given permanent status and a person holding one of  
68 these credentials shall meet renewal requirements provided by law and by regulation, unless the  
69 state board declares certain of these certificates to be the equivalent of the professional  
70 certificate.

71 (3) Within the category of other certificates and permits, the state superintendent may  
72 issue certificates for persons to serve in the public schools as athletic coaches or coaches of other  
73 extracurricular activities, whose duties may include the supervision of students, subject to the  
74 following limitations:

75 (A) The person is employed under a contract with the county board of education.

76 (i) The contract specifies the duties to be performed, specifies a rate of pay that is  
77 equivalent to the rate of pay for professional educators in the district who accept similar duties as  
78 extra duty assignments, and provides for liability insurance associated with the activity; and

79 (ii) The person holding this certificate is not considered an employee of the board for salary  
80 and benefit purposes other than as specified in the contract.

81 (B) The person completes an orientation program designed and approved in accordance  
82 with state board rules.

83 (f) *Teacher-In-Residence Permit.* —

84 (1) A teacher-in-residence permit may be issued to a candidate who is enrolled in a  
85 teacher-in-residence program in accordance with an agreement between an institution of higher  
86 education and a county board. The agreement is developed pursuant to subsection (e), section  
87 one of this article and requires approval by the state board.

88 (2) The permit is valid only for the teacher-in-residence program position in which the  
89 candidate is enrolled and is subject to enrollment in the program. The permit is valid for no more  
90 than one school year and may not be renewed.

91 (g) *Temporary teaching certificates for Armed Forces spouses.* —

92           (1) A temporary teaching certificate for an Armed Forces spouse may be issued to an  
93 individual who meets the following criteria:

94           (A) He or she is married to a member of the Armed Forces of the United States who is on  
95 active duty;

96           (B) He or she holds a current unencumbered teaching certificate or license issued by an  
97 equivalent credentialing department, board, or authority, as determined by the state  
98 superintendent, in another state of the United States, the District of Columbia, Puerto Rico, the  
99 United States Virgin Islands, another territory or protectorate of the United States or a foreign  
100 country; and

101           (C) He or she provides proof acceptable to the state superintendent that his or her spouse  
102 is assigned to a duty station in this state or at a military installation within fifty air miles of the West  
103 Virginia border and that he or she is also assigned to a duty station in this state or at a military  
104 installation within fifty air miles of the West Virginia border under his or her spouse's official active  
105 duty military orders.

106           (2) The state superintendent shall deny a temporary teaching certificate to an individual  
107 described in (1) above for fraud, material misrepresentation or concealment in the person's  
108 application for a temporary teaching certificate or for a conviction for which an individual's  
109 teaching certificate may be revoked under section six of this article.

110           (3) A temporary teaching certificate issued under (1) above is valid for one year and may  
111 be renewed for additional one year terms if the state superintendent determines the individual  
112 holding the temporary teaching certificate continues to meet the requirements of (1) above. The  
113 state superintendent may revoke a temporary teaching certificate for a conviction for which an  
114 individual's teaching certificate may be revoked under section six of this article.

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

*Raymond F. Cook*  
.....  
Chairman, House Committee

*Ed Houch*  
.....  
Member ~~Chairman~~, Senate Committee

Originating in the House.

In effect ninety days from passage.

*Steph D. Harris*  
.....  
Clerk of the House of Delegates

*Mark Egan*  
.....  
Clerk of the Senate

*Paul Holt*  
.....  
Speaker of the House of Delegates

*Robert B. Combs*  
.....  
President of the Senate

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

The within *is approved* this the *24th*  
*April* day of ..... 2017.

*Jim Justice*  
.....  
Governor



PRESENTED TO THE GOVERNOR

APR 20 2017

Time 3:13 pm