

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Enrolled
Committee Substitute
for
Committee Substitute
for
Senate Bill 765

BY SENATORS WILLIS, THORNE, WELD, FULLER, GRADY,

AND DEEDS

[Passed April 12, 2025; in effect 90 days from

passage (July 11, 2025)]

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

2025 APR 30 P 11:17

FILED

SB765

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1 AN ACT to amend and reenact §18A-3-1 and §18A-3-2a of the Code of West Virginia, 1931, as
2 amended, relating to establishing the Troops-to-Teachers Program; providing for
3 establishment and purpose of program; and setting out conditions for issuance of
4 professional teaching certificate.

Be it enacted by the Legislature of West Virginia:

**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 under the general direction and
2 control of the state board.

3 The education of professional educators in the state includes all programs leading to
4 certification to teach or serve in the public schools. The programs include the following:

5 (1) Programs in all institutions of higher education, including student teaching, resident
6 teacher clinical experience, and the clinical teacher of record programs, as provided in this
7 section;

8 (2) Beginning teacher and leader induction programs;

9 (3) Granting West Virginia certification to persons who received their preparation to teach
10 outside the boundaries of this state, except as provided in subsection (b) of this section;

11 (4) Alternative preparation programs in this state leading to certification, including
12 programs established pursuant to the provisions of §18A-3-1a, §18A-3-1b, §18A-3-1c, §18A-3-
13 1d, §18A-3-1e, §18A-3-1f, §18A-3-1g, §18A-3-1h, and §18A-3-1i of this code and programs which
14 are in effect on the effective date of this section;

15 (5) A Troops-to-Teachers Program, to be established by the state superintendent pursuant
16 to §18A-3-2a of this code, to attract and recruit veterans of the armed forces to be public school

17 teachers. Veterans will be given a veterans' preference in hiring in accordance with §6-13-1 of
18 this code; and

19 (6) Continuing professional education, professional development, and in-service training
20 programs for professional educators employed in the public schools in the state. Beginning with
21 school year 2024-2025, and every five years after, the State Board of Education shall perform
22 periodic reviews of professional development for teachers and education staff to ensure the
23 following:

24 (A) That requirements and current training regimens are necessary and truly essential;
25 and

26 (B) That a distinction is made between those professional education opportunities which
27 are required and those just encouraged.

28 (i) The purpose of these reviews shall be to establish a training regimen that has the
29 minimum amount of required training so that teachers can be better focused on the classroom.

30 (ii) School personnel may recommend legislative changes to this section and any other
31 requirements mandated in this code.

32 (b) The state board shall adopt standards for the education of professional educators in
33 the state and for awarding certificates valid in the public schools of this state. The standards
34 include, but are not limited to, the following:

35 (1) A provision for the study of the history and philosophical foundations of western
36 civilization and the writings of the founders of the United States of America;

37 (2) A provision for the study of multicultural education. As used in this section, multicultural
38 education means the study of the pluralistic nature of American society including its values,
39 institutions, organizations, groups, status positions, and social roles;

40 (3) A provision for the study of classroom management techniques, including methods of
41 effective management of disruptive behavior including addressing societal factors and their
42 impact on student behavior; and

(4) A teacher from another state shall be awarded a teaching certificate for a comparable grade level and subject area valid in the public schools of this state, subject to §18A-3-10 of this code if he or she has met the following requirements:

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

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

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

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

(c) The state board may enter into an agreement with county boards for the use of the public schools in order to give prospective teachers the teaching experience needed to demonstrate competence as a prerequisite to certification to teach in the West Virginia public schools.

(d) An agreement established pursuant to subsection (c) of this section shall recognize student teaching or teacher residency as a joint responsibility of the educator preparation institution and the cooperating public schools. The agreement shall include the following items:

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

(2) The remuneration to be paid to public school teachers by the state board, in addition to their contractual salaries, for supervising student teachers or residents;

(3) Minimum standards to guarantee the adequacy of the facilities and program of the public school selected for student teaching or teacher residency;

(4) Assurance that the student teacher or resident teacher, under the direction and supervision of the supervising teacher, shall exercise the authority of a substitute teacher;

(5) A provision requiring any higher education institution with an educator preparation program to document that the student or resident teacher's field-based and clinical experiences

include participation and instruction with multicultural, at-risk, and exceptional children at each programmatic level for which the student teacher seeks certification; and

(6) A provision authorizing a school or school district that has implemented a comprehensive beginning teacher induction program to enter into an agreement that provides for the training and supervision of student teachers or resident teachers consistent with the educational objectives of this subsection by using an alternate structure implemented for the support, supervision, and mentoring of beginning teachers. The agreement is in lieu of any specific provisions of this subsection and is subject to the approval of the state board.

(e) *Clinical teacher of record programs.* —

(1) In lieu of the provisions of subsections (c) and (d) of this section and subject to approval of the state board, an institution of higher education with a program for the education of professional educators approved by the state board may enter into an agreement with county boards for the use of clinical teacher of record programs in the public schools.

(2) A "clinical teacher of record program" means an intensively supervised and mentored program for prospective teachers during their senior year that refines their professional practice skills and helps them gain the teaching experience needed to demonstrate competence as a prerequisite to certification to teach in the West Virginia public schools.

(3) The authorization for the higher education institution and the county board to implement a clinical teacher of record program is subject to state board approval. The provisions of the agreement include, but are not limited to, the following items:

(A) A requirement that the prospective teacher in a clinical teacher of record program has completed all other preparation courses and has passed the appropriate basic skills and subject matter test or tests required by the state board for teachers to become certified in the area for which licensure is sought;

(B) A requirement that the clinical teacher of record serve only in a teaching position in the county which has been posted and for which no other teacher fully certified for the position has been employed;

(C) Specifics regarding the program of instruction for the clinical teacher of record setting forth the responsibilities for supervision and mentoring by the higher education institution's educator preparation program, the school principal, and peer teachers and mentors, and the responsibilities for the formal instruction or professional development necessary for the clinical teacher of record to perfect his or her professional practice skills. The program also may include other instructional items as considered appropriate;

(D) A requirement that the clinical teacher of record hold a clinical teacher of record permit qualifying the individual to teach in his or her assigned position as the teacher of record;

(E) A requirement that the salary and benefit costs for the position to which the clinical teacher of record is assigned shall be used only for program support and to pay a stipend to the clinical teacher of record as specified in the agreement, subject to the following:

(i) The clinical teacher of record is a student enrolled in the teacher preparation program of the institution of higher education and is not a regularly employed employee of the county board;

(ii) The clinical teacher of record is included on the certified list of employees of the county eligible for state aid funding the same as an employee of the county at the appropriate level based on their permit and level of experience;

(iii) All state aid funding due to the county board for the clinical teacher of record shall be used only in accordance with the agreement with the institution of higher education for support of the program as provided in the agreement, including costs associated with instruction and supervision as set forth in paragraph (C) of this subdivision;

(iv) The clinical teacher of record is provided the same liability insurance coverage as other employees; and

(v) All state aid funding due to the county for the clinical teacher of record and not required for support of the program shall be paid as a stipend to the clinical teacher of record: *Provided*, That the stipend paid to the clinical teacher of record shall be no less than 65 percent of all state aid funding due the county for the clinical teacher of record;

(F) Other provisions that may be required by the state board.

(f) In lieu of the student teaching experience in a public school setting required by this section, an institution of higher education may provide an alternate student teaching or residency experience in a nonpublic school setting if the institution of higher education meets the following criteria:

(1) Complies with the provisions of this section;

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

(3) Enters into an agreement pursuant to subsections (g) and (h) of this section.

(g) At the discretion of the higher education institution, an agreement for an alternate student teaching or residency experience between an institution of higher education and a nonpublic school shall require one of the following:

(1) The prospective teacher shall complete at least one half of the clinical experience in a public school; or

(2) The educator preparation program shall include a requirement that any student performing student teaching or residency in a nonpublic school shall complete the following:

(A) At least 200 clock hours of field-based training in a public school; and

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

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

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

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

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

(v) Varied approaches for effective instruction for students who are at-risk.

(h) In addition to the requirements set forth in subsection (g) of this section, an agreement for an alternate student teaching or residency experience between an institution of higher education and a nonpublic school shall include the following:

(1) A requirement that the higher education institution with an educator preparation program shall document that the student or resident teacher's field-based and clinical experiences include participation and instruction with multicultural, at-risk, and exceptional children at each programmatic level for which the student teacher seeks certification; and

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

(i) The state superintendent may issue certificates as provided in §18A-3-2a of this code to graduates of educator preparation programs and alternative educator preparation programs approved by the state board. The certificates are issued in accordance with this section and rules adopted by the state board.

(1) A certificate to teach may be granted only to a person who meets the following criteria:

(A) Is a citizen of the United States, except as provided in subdivision (2) or (3) of this subsection;

(B) Is of good moral character;

170 (C) Is physically, mentally, and emotionally qualified to perform the duties of a teacher;
171 and

172 (D) Is at least 18 years of age on or before October 1 of the year in which his or her
173 certificate is issued.

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

177 (3) A certificate to teach may be granted to a noncitizen of the United States who holds a
178 valid Permanent Resident Card, Employment Authorization Document, or work permit issued by
179 the United States Citizenship and Immigration Services.

180 (j) Institutions of higher education approved for educator preparation may cooperate with
181 each other and with one or more county boards to organize and operate centers to provide
182 selected phases of the educator preparation program. The phases include, but are not limited to,
183 the following:

184 (1) Student teaching and resident teacher clinical experience programs;

185 (2) Clinical teacher of record programs;

186 (3) Beginning teacher and leader induction programs;

187 (4) Instruction in methodology; and

188 (5) Seminar programs for college students, teachers with provisional certification,
189 professional support team members, and supervising teachers.

190 By mutual agreement, the institutions of higher education and county boards may budget
191 and expend funds to operate the centers through payments to the appropriate fiscal office of the
192 participating institutions and the county boards.

193 (k) The provisions of this section do not require discontinuation of an existing student
194 teacher training center or school which meets the standards of the state board.

195 (l) All institutions of higher education approved for educator preparation in the 1962-1963
196 school year continue to hold that distinction so long as they meet the minimum standards for
197 educator preparation. Nothing in this section infringes upon the rights granted to any institution
198 by charter given according to law previous to the adoption of this code.

199 (m) *Definitions.* — For the purposes of this section, the following words have the meanings
200 ascribed to them unless the context clearly indicates a different meaning:

201 (1) "Nonpublic school" means a private school, parochial school, church school, school
202 operated by a religious order, or other nonpublic school that elects to meet the following
203 conditions:

204 (A) Comply with the provisions of §18-28-1 *et seq.* of this code;

205 (B) Participate on a voluntary basis in a state-operated or state-sponsored program
206 provided to this type of school pursuant to this section; and

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

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

211 (3) "Exceptional child" or "exceptional children" has the meaning ascribed to these terms
212 pursuant to §18-20-1 of this code but, as used in this section, the terms do not include gifted
213 students.

§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 §18A-3-1 of this code, 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.* —

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

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

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

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

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

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

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

(B) Holds at least a bachelor's degree from an accredited institution of higher education, and:

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

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

and

(iii) Is recommended for a certificate in accordance with the provisions of §18A-3-1i of this code relating to the program; and

(iv) Is recommended by the state superintendent based on documentation submitted; or

(C) Holds a bachelor's degree from an accredited institution of higher education, and:

(i) Submits to a criminal history check pursuant to §18A-3-10 of this code: *Provided*, That information discovered during the criminal history check may form the basis for the denial of a certificate for just cause; and

(ii) Successfully completes pedagogical training or a pedagogical course or courses in substantive alignment with nationally recognized pedagogical standards, or approved or established by the state board; and

(iii) Passes the same subject matter and competency test or tests required by the state board for traditional program applicants for licensure; or

(D) Is an honorably discharged member of the armed forces who:

(i) Holds at least a bachelor's degree from an accredited institution of higher education that is related to the available position which the veteran has applied to; and

(ii) Has passed the basic skills and subject matter test or tests required by the state board for teachers to become certified in the area for which the licensure is sought; and

(iii) Is exempt from any additional teacher certification requirements except the criminal history check required by §18A-3-10 of this code.

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

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

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

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

(4) Teaching certificates granted pursuant to §18A-3-2a(a)(1)(C) of this code shall be equivalent to certificates granted to graduates of teacher preparation programs at public higher education institutions.

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

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

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

(c) Professional administrative certificate. —

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

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

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

(ii) Has successfully completed education and training in evaluation skills through the Center for Professional Development, or equivalent education and training in evaluation skills approved by the state board; and

(iii) Possesses three years of management level experience.

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

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

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

(1) Has completed 36 semester hours of post-secondary education or its equivalent in subjects directly related to performance of the job, all approved by the state board; and

(2) Demonstrates the proficiencies to perform duties as required of a paraprofessional as defined in §18A-4-8 of this code.

(e) Other certificates; permits. —

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

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

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

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

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

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

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

(f) Clinical teacher of record permit. —

(1) A clinical teacher of record permit may be issued to a candidate who is enrolled in a clinical teacher of record program in accordance with an agreement between an institution of higher education and a county board. The agreement is developed pursuant to §18A-3-1(e) of this code and requires approval by the state board.

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

(g) Temporary teaching certificates for armed forces spouses. —

(1) A temporary teaching certificate for an armed forces spouse may be issued to an individual who meets the following criteria:

(A) He or she is married to a member of the armed forces of the United States who is on active duty;

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

(C) He or she provides proof acceptable to the state superintendent that his or her spouse is assigned to a duty station in this state or at a military installation within 50 air miles of the West Virginia border and that he or she is also assigned to a duty station in this state or at a military installation within 50 air miles of the West Virginia border under his or her spouse's official active-duty military orders.

(2) The state superintendent shall deny a temporary teaching certificate to an individual described in paragraph (1) of this subdivision for fraud, material misrepresentation or concealment in the person's application for a temporary teaching certificate or for a conviction for which an individual's teaching certificate may be revoked under §18A-3-6 of this code.

(3) A temporary teaching certificate issued under paragraph (1) of this subdivision is valid for one year and may be renewed for additional one-year terms if the state superintendent determines the individual holding the temporary teaching certificate continues to meet the requirements of paragraph (1) of this subdivision. The state superintendent may revoke a

- 133 temporary teaching certificate for a conviction for which an individual's teaching certificate may
134 be revoked under §18A-3-6 of this code.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.


Clerk of the Senate

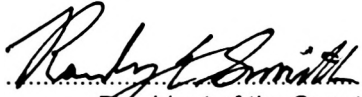

Clerk of the House of Delegates

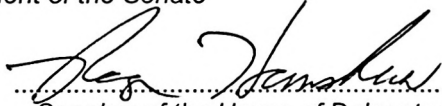
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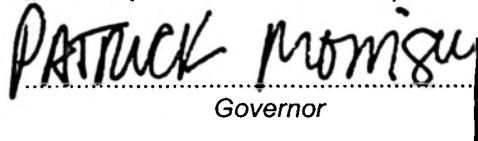
Originated in the Senate.

In effect 90 days from passage.


President of the Senate


Speaker of the House of Delegates

The within is approved this the 30th
Day of April, 2025.


Governor

18.03.2009

PRESENTED TO THE GOVERNOR

APR 21 2025

Time 3:58 pm