



Virginia
Regulatory
Town Hall

Proposed Regulation Agency Background Document

Agency Name:	Department of Education
VAC Chapter Number:	8 VAC 20-21
Regulation Title:	Licensure Regulations for School Personnel
Action Title:	Amend Licensure Regulations for School Personnel to Expand the Career Switcher Alternative Route to Licensure Program to Other Professions, including Military Personnel
Date:	April 30, 2001

This information is required pursuant to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99), and the *Virginia Register Form, Style and Procedure Manual*. Please refer to these sources for more information and other materials required to be submitted in the regulatory review package.

Summary

Please provide a brief summary of the proposed new regulation, proposed amendments to an existing regulation, or the regulation proposed to be repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation; instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The proposed amendments expand the approved changes for *Licensure Regulations for School Personnel*, effective January 31, 2001, to other professions, including military personnel. A definition for certified provider and mentor was added. A change in wording from military personnel to career professions is proposed. The proposed changes recommend a minimum of 180 clock hours of instruction (160 of the 180 hours must be included in the summer intensive preparation phase; 20 hours of the 180 hours will involve field experience) during the Level I Preparation Phase. Clarification is provided for meeting the professional studies requirements for Levels I and II. A requirement of five-years of full-time work experience or its equivalent is recommended for participation in the program. The scope of responsibilities of the mentoring

program requirements during Level II preparation is provided and a recommendation for a five-year renewable license by the employing educational agency. Program certification requirements were included to provide program providers regulatory language for submitting a proposal to conduct a career switcher program.

Basis

Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority must be provided. Please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the proposed regulation and that it comports with applicable state and/or federal law.

Code of Virginia, Section 22.1-16. **Bylaws and regulations generally states:** "The Board of Education may adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of this title."

Code of Virginia, Section 22.1-298. **Regulations governing licensure states:** "The Board of Education shall, by regulation, prescribe the requirements for the licensure of teachers. Such regulations shall include a requirement that every teacher seeking initial licensure take a professional teacher's assessment prescribed by the Board. Notwithstanding any provision of law to the contrary, the Board may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any person who does not meet this requirement or any other requirement for licensure by law."

Purpose

Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the proposed regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.

Licensure Regulations for School Personnel were revised to include licensure regulations for career switcher alternative route to licensure programs for military personnel. This regulation became effective January 31, 2001. This proposed change in regulations will expand the career switcher alternative route to licensure for military personnel to other professions who have not completed a teacher preparation curriculum but have valuable life experiences, career achievements, and academic backgrounds that are relevant for teaching in pre-K through grade 12. To increase opportunities for school divisions to employ career switchers with rich

experiences, an alternative route for career switchers for other professionals is proposed. This route to licensure will allow career switchers with military and other professional experience to apply directly to the Department of Education for a license.

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement providing detail of the regulatory action's changes.

The proposed regulations expand the approved changes for *Licensure Regulations for Personnel*, effective January 31, 2001, to other professions, including military personnel. The proposed regulations provide clarification for meeting the professional studies requirements for Levels I and II. Level III would take place only if the employing agency recommends extending the "eligibility license" for a second year of employment. Clarification is provided for meeting the professional studies requirements for Levels I and II. A requirement of five-years of full-time work experience or its equivalent is recommended for participation in the program. A minimum of 180 clock hours of instruction (160 of the 180 hours must be included in the summer intensive preparation phase; 20 hours of the 180 will involve field experience) is proposed for the summer intensive preparation phase (Level I) for specific courses relating to the Standards of Learning, differentiation of instruction, classroom management, human growth and development and the field experience.

The scope of responsibilities of the mentoring program requirements during Level II preparation is provided and a recommendation for a five-year renewable license by the employing educational agency. Program certification requirements were included to provide program providers regulatory language for submitting a proposal to conduct a career switcher program.

Issues

Please provide a statement identifying the issues associated with the proposed regulatory action. The term "issues" means: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.

According to the federal government, schools will need 200,000 new teachers a year for the next decade--up from 150,000 in recent years--as student enrollment increases and current teachers retire. The proposed regulations would expand the program to individuals in other professions including military personnel who have an interest in teaching but have not completed a teacher preparation program. As a result, a number of individuals from other professions, including military would become eligible for the program. Participants who complete the program would be eligible for employment by school systems in Virginia.

The proposed regulations do not present any disadvantages to the public or the Commonwealth.

Fiscal Impact

Please identify the anticipated fiscal impacts and at a minimum include: (a) the projected cost to the state to implement and enforce the proposed regulation, including (i) fund source / fund detail, (ii) budget activity with a cross-reference to program and subprogram, and (iii) a delineation of one-time versus on-going expenditures; (b) the projected cost of the regulation on localities; (c) a description of the individuals, businesses or other entities that are likely to be affected by the regulation; (d) the agency's best estimate of the number of such entities that will be affected; and e) the projected cost of the regulation for affected individuals, businesses, or other entities.

The Virginia General Assembly provided initial funding of \$202,512 to conduct the career switcher program during the first year of the 2000-2002 biennium and \$207, 285 for the second year. The mentor teacher program received an appropriation of \$200,000 for each year of the 2000-2002 biennium. Funding was provided to provide an alternative pathway into teaching for 100 individuals who had not completed a teacher preparation curriculum but had considerable life experiences, career achievements and an academic background that was relevant for teaching in pre-K through grade 12. The funds included \$2,000 per participant for the delivery of instruction and \$2,000 for the mentor component (\$1,000 as an incentive before and during the induction year for the mentor teacher and \$1,000 for the mentor teacher training).

After the current biennium, if the General Assembly does not appropriate funding for 2002-04 or more individuals are interested in participating than funds will support, candidates may be assessed a fee for the cost of the program. Public educational agencies interested in conducting a career switcher program will be eligible to request state grants, pending available funding. Public and private educational agencies can request approval of program certification requirements to conduct career switcher alternative route to licensure programs.

Detail of Changes

Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or cross-walk - of changes implemented by the proposed regulatory action. Where applicable, include citations to the specific sections of an existing regulation being amended and explain the consequences of the proposed changes.

The proposed regulations expand the approved changes for *Licensure Regulations for Personnel*, effective January 31, 2001, to other professions, including military personnel. A change in wording from military personnel to career professions is proposed. A definition of certified provider and mentors is included to provide clarification and understanding of the term and phase. The proposed regulations provide clarification of the professional studies requirements for Levels I and II during the course of a single year. Level III would take place only if the employing agency recommends extending the "eligibility license" for a second year of employment. Level I professional studies requirements must include a minimum of 180 clock hours of instruction (160 of the 180 hours must be included in the summer intensive preparation

phase; 20 hours of the 180 will involve field experience) is proposed for the summer intensive preparation phase for specific courses relating to the Standards of Learning, differentiation of instruction, classroom management, human growth and development and the field experience. A minimum of five seminars and workshops are proposed for Level II preparation during the induction year. The scope of responsibilities of the mentoring program requirements during Level II preparation is provided and a recommendation for a five-year renewable license by the employing educational agency. Program certification requirements were included to provide program providers regulatory language for submitting a proposal to conduct a career switcher program. It is recommended that providers receive a five-year certification after the first year, then subsequent reviews conducted on a five-year cycle, or as deemed necessary. Program providers must document that applicants accepted in the program have met prerequisite requirements. Proposals submitted to the Department of Education for certification approval must address purpose, description, and program design; collaboration; training; project administration and management; maintenance of data and annual reporting; and evaluation of participants.

The proposed regulations require program providers for the career switcher program to adhere to regulations specified by the Board of Education. Programs must include prescribed requirements for preparation as well as candidate and program evaluation.

Alternatives

Please describe the specific alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action.

Licensure regulations for career switcher alternative route to licensure programs for military personnel became effective January 31, 2001. This proposed change in regulations would expand the program to other professions including military personnel who have not completed a teacher preparation curriculum but have valuable life experiences, career achievements, and academic backgrounds that are relevant for teaching in pre-K through grade 12. To increase opportunities for school divisions to employ career switchers from all professions with rich experiences, an alternative route for career switchers for other professionals is proposed. This route to licensure will allow career switchers with military and other professional experience to apply directly to the Department of Education for a license.

The proposed regulatory revision will recognize career switchers and their considerable expertise and preparation. Instructional opportunities and training including multi-cultural sensitivity, motivational theory, management by objective, organization skills, accountability, leadership, assessment, substance abuse, counseling skills, and computer technology maybe considered in the evaluation of applicants in this program. This proposal would lessen the burden on career switchers interested in teaching in Virginia by recognizing their extensive academic preparation and experiences.

Public Comment

Please summarize all public comment received during the NOIRA comment period and provide the agency response.

No public comment received during the NOIRA period.

Clarity of the Regulation

Please provide a statement indicating that the agency, through examination of the regulation and relevant public comments, has determined that the regulation is clearly written and easily understandable by the individuals and entities affected.

The Board of Education approved the proposed regulations for public comment phase of the Administrative Process Act (APA) during its January 11, 2001 meeting.

Periodic Review

Please supply a schedule setting forth when the agency will initiate a review and re-evaluation to determine if the regulation should be continued, amended, or terminated. The specific and measurable regulatory goals should be outlined with this schedule. The review shall take place no later than three years after the proposed regulation is expected to be effective.

The Department of Education will review and re-evaluate the proposed regulations during next review of *Licensure Regulations of School Personnel*.

Family Impact Statement

Please provide an analysis of the proposed regulatory action that assesses the potential impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The proposal to expand the alternative route for career switchers should not directly impact families. The program will provide career switchers opportunities to prepare to teach, therefore, providing a second career path. Prospective teachers in the career switcher program may complete the professional studies and teaching induction requirements within a single school year.