



Proposed Regulation Agency Background Document

Agency name	Virginia Board of Education
Virginia Administrative Code (VAC) citation	<u>8 VAC 20-22-10 et seq.</u>
Regulation title	<i>Licensure Regulations for School Personnel</i>
Action title	Update for Legislative Changes Made by the 2012 General Assembly- House Bill 578 and the 2013 General Assembly House Bill 2151 and Senate Bill 1223
Date this document prepared	May 29, 2013 (Revised January 2, 2014)

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

In a short paragraph, please summarize all substantive provisions of new regulations or changes to existing regulations that are being proposed in this regulatory action.

[House Bill 578](#), passed by the General Assembly during the 2012 Session, amends the *Code of Virginia* to require the Board of Education to promulgate regulations establishing licensure requirements for teachers who teach only online courses, as defined in § [22.1-212.23](#). Such license shall be valid only for teaching online courses. Teachers who hold a five-year renewable license issued by the Board of Education may teach online courses for which they are properly endorsed.

As the options available to Virginia's public school students through virtual learning programs continue to expand, requirements for teachers assigned to teach only online courses need to be addressed. The Board of Education's *Licensure Regulations for School Personnel* do not specifically address requirements for teachers who teach only online courses. The legislation requires the establishment of a license and criteria for obtaining the license.

The legislation made clear that individuals who already hold five-year renewable licenses issued by the Board of Education may teach online courses for which they are properly endorsed. These license holders will not be required to seek the new license type that will be established.

The Virginia Board of Education will amend the *Licensure Regulations for School Personnel* to add a license and criteria for obtaining a license for teachers who teach only online courses. A committee was convened and developed draft regulatory text. The proposed text was presented to the Advisory Board on Teacher Education and License. This Advisory Board made a recommendation to the Virginia Board of Education regarding the amendment to the regulations.

[House Bill 2151](#) and [Senate Bill 1223](#) approved by the 2013 Virginia General Assembly eliminated the Local Eligibility License.

Acronyms and Definitions

Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.

The following definitions were added to the proposed text:

- "Accredited virtual school or program" means a virtual school or program accredited by one of the accrediting agencies recognized by the Virginia Department of Education. School divisions operating as multidivision online providers may be deemed as meeting accreditation requirements if a majority of its schools are fully accredited by the Virginia Board of Education.
- "Online Teacher License" means a five-year, renewable license valid only for teaching online courses. [Teachers who hold a five-year renewable license issued by the Board of Education may teach online courses for which they are properly endorsed and do not need to seek this license.]

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant citations to the Code of Virginia or General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Your citation should include a specific provision authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency/board/person's overall regulatory authority.

[House Bill 578](#) amends § [22.1-298.1](#) of the *Code of Virginia* to state: "The Board of Education shall prescribe by regulation the licensure requirements for teachers who teach only online courses, as defined in § [22.1-212.23](#). Such license shall be valid only for teaching online courses. Teachers who hold a five-year renewable license issued by the Board of Education may teach online courses for which they are properly endorsed."

In addition, § [22.1-16](#) of the *Code of Virginia* authorizes the Board of Education to 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.

[House Bill 2151](#) and [Senate Bill 1223](#) approved by the 2013 Virginia General Assembly eliminated the Local Eligibility License.

Purpose

Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal, the environmental benefits, and the problems the proposal is intended to solve.

[House Bill 578](#), passed by the General Assembly during the 2012 Session, amends the *Code of Virginia* to require the Board of Education to promulgate regulations establishing licensure requirements for teachers who teach only online courses, as defined in § [22.1-212.23](#). Such license shall be valid only for teaching online courses. Teachers who hold a five-year renewable license issued by the Board of Education may teach online courses for which they are properly endorsed.

As the options available to Virginia's public school students through virtual learning programs continue to expand, requirements for teachers assigned to teach only online courses need to be addressed. The Board of Education's *Licensure Regulations for School Personnel* do not specifically address requirements for teachers who teach only online courses. The legislation requires the establishment of a license and criteria for obtaining the license.

The legislation made clear that individuals who already hold five-year renewable licenses issued by the Board of Education may teach online courses for which they are properly endorsed. These license holders will not be required to seek the new license type that will be established.

[House Bill 2151](#) and [Senate Bill 1223](#) approved by the 2013 Virginia General Assembly eliminated the Local Eligibility License.

Substance

Please briefly identify and explain new substantive provisions (for new regulations), substantive changes to existing sections or both where appropriate. (More detail about all provisions or changes is requested in the "Detail of changes" section.)

Section [22.1-298.1](#) of the *Code of Virginia* states that the Board of Education shall prescribe by regulation the licensure requirements for teachers who teach only online courses, as defined in § [22.1-212.23](#). Such license shall be valid only for teaching online courses. Teachers who hold a five-year renewable license issued by the Board of Education may teach online courses for which they are properly endorsed.

Existing *Licensure Regulations for School Personnel* must be amended to conform to the *Code of Virginia*. Sections proposed to be changed include the following sections: **8VAC20-22-10. Definitions;** **8VAC20-22-50. Types of licenses; dating licenses;** **8VAC20-22-90. Alternate routes to licensure;** and **8VAC20-22-110-Requirements for renewing a license.**

Issues

Please identify the issues associated with the proposed regulatory action, including:

- 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 the regulatory action poses no disadvantages to the public or the Commonwealth, please indicate.

The primary advantage of the addition of the Online Teacher License to the licensure regulations is that it provides a route for individuals seeking licensure through an alternate route to become licensed by the Board of Education and employed by a multidivision online provider. The license also is applicable to teachers in public schools or accredited nonpublic schools who are teaching only online courses.

The regulatory action poses no disadvantages to the public or the Commonwealth.

Requirements more restrictive than federal

Please identify and describe any requirements of the proposal, which are more restrictive than applicable federal requirements. Include a rationale for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.

There are no applicable federal requirements related to this regulatory revision.

Localities particularly affected

Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.

There are no localities particularly affected by the proposed regulation.

Public participation

Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.

In addition to any other comments, the board/agency is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the agency/board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the *Code of Virginia*. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so via the Regulatory Town Hall website (<http://www.townhall.virginia.gov>), or by mail, email or fax to Mrs. Patty S. Pitts, assistant superintendent for teacher education and licensure, Virginia Department of Education, P. O. Box 2120, Richmond, Virginia 23218-2120; Phone: (804) 371-2522; Fax: (804) 530-4510; E-mail address: Patty.Pitts@doe.virginia.gov. Written comments must include the name and address of the commenter. In order to be considered, comments must be received by midnight on the last date of the public comment period.

A public hearing will be held after this regulatory stage is published in the *Virginia Register of Regulations* and notice of the hearing will be posted on the Virginia Regulatory Town Hall website

(<http://www.townhall.virginia.gov>) and on the Commonwealth Calendar website (<http://www.virginia.gov/cmsportal3/cgi-bin/calendar.cgi>). Both oral and written comments may be submitted at that time.

Economic impact

Please identify the anticipated economic impact of the proposed new regulations or amendments to the existing regulation. When describing a particular economic impact, please specify which new requirement or change in requirements creates the anticipated economic impact.

<p>Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source, and (b) a delineation of one-time versus on-going expenditures.</p>	<p>The Commonwealth charges fees for licensure – [\$50 (in-state) and \$75 (out-of-state) application fee; \$25 renewal fee]; therefore, individuals seeking the Online Teacher License are subject to the payment of the fees. These fees are to assist with the operation of the Teacher Education and Licensure Office.</p>
<p>Projected cost of the new regulations or changes to existing regulations on localities.</p>	<p>None. The application fee for the license is the responsibility of the applicant. [Current law requires that all teachers hold a license issued by the Board of Education.]</p>
<p>Description of the individuals, businesses or other entities likely to be affected by the new regulations or changes to existing regulations.</p>	<p>Multidivision online providers will be the primary businesses that will be positively affected by the new regulations. Virginia school divisions and accredited nonpublic schools offering online courses also may have individuals who seek the Online Teacher License.</p>
<p>Agency’s best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	<p>There are 20 approved multidivision online providers. Virginia school divisions offering online courses also may have individuals who seek the Online Teacher License.</p>
<p>All projected costs of the new regulations or changes to existing regulations for affected individuals, businesses, or other entities. Please be specific and include all costs. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses. Specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the proposed regulatory changes or new regulations.</p>	<p>The projected number of Online Teacher Licenses that will be issued is small. This license was established for a small number of individuals. The costs to the agency will be minimal and absorbed within the agency.</p>
<p>Beneficial impact the regulation is designed to produce.</p>	<p>Individuals assigned to teach only online courses may seek the Online Teacher License which will assist those individuals who are interested in becoming licensed through an alternate route. Teachers who hold a teaching license in Virginia do not need to seek this license type as they are authorized to teach online courses.</p>

Alternatives

Please describe any viable 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. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

Because [House Bill 578](#) requires the promulgation of regulations establishing “licensure requirements for teachers who teach only online courses, as defined in § [22.1-212.23](#),” no other alternative has been considered.

[House Bill 2151](#) and [Senate Bill 1223](#) approved by the 2013 Virginia General Assembly eliminated the Local Eligibility License; therefore, the license must be removed from the licensure regulations.

Regulatory flexibility analysis

Please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

Because [House Bill 578](#) requires the promulgation of regulations establishing “licensure requirements for teachers who teach only online courses, as defined in § [22.1-212.23](#),” no other alternative regulatory methods were applicable.

[House Bill 2151](#) and [Senate Bill 1223](#) approved by the 2013 Virginia General Assembly eliminated the Local Eligibility License; therefore, the license must be removed from the licensure regulations.

Public comment

Please summarize all comments received during the public comment period following the publication of the NOIRA, and provide the agency response.

No comments were received.

Commenter	Comment	Agency response
None		

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent 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 proposed amendments will address the licensure of teachers assigned to only teach online courses, further ensuring educational quality for Virginia's public school students.

Detail of changes

Please list all changes that are being proposed and the consequences of the proposed changes. If the proposed regulation is a new chapter, describe the intent of the language and the expected impact. Please describe the difference between existing regulation(s) and/or agency practice(s) and what is being proposed in this regulatory action.

*If the proposed regulation is intended to replace an **emergency regulation**, please list separately (1) all differences between the **pre-emergency regulation** and this proposed regulation, and (2) only changes made since the publication of the emergency regulation.*

For changes to existing regulation(s), use this chart:

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change, intent, rationale, and likely impact of proposed requirements
8VAC20-22-10. Definitions.		<p>Part I Definitions</p> <p>8VAC20-22-10. Definitions.</p> <p>The following words and terms when used in this chapter shall have the meanings indicated unless the context clearly implies otherwise:</p> <p>"Accredited institution" means an institution of higher education accredited by a regional accrediting agency recognized by the United States Department of Education.</p> <p>[Insert proposed text revision.]</p> <p>"Alternate route to licensure" means a nontraditional route to licensure available to individuals who meet the criteria specified in 8VAC20-22-90.</p> <p>"Approved program" means</p>	<p>Adds the definition of an accredited virtual school or program</p> <p><u>"Accredited virtual school or program" means a virtual school or program accredited by one of the accrediting agencies recognized by the Virginia Department of Education. School divisions operating as multidivision online providers may be deemed as meeting accreditation requirements if a majority of its schools are fully accredited by the Virginia Board of Education.</u></p> <p>[The intent of the revision is to define the type of school or program that may request for its employees an Online Teacher License.]</p>

		<p>a professional education program recognized as meeting state standards for the content and operation of such programs so graduates of the program will be eligible for state licensure. The Board of Education has the authority to approve programs in Virginia.</p> <p>"Cancellation" means the withdrawal of a teaching license following the voluntary return of the license by the license holder.</p> <p>"Certified provider" means a provider certified by the Department of Education to provide preparation and training for applicants seeking the Provisional License specified in 8VAC20-22-90.</p> <p>"Collegiate Professional License" means a five-year, renewable license available to an individual who has satisfied all requirements for licensure, including the professional teacher's assessments prescribed by the Board of Education.</p> <p>"Content area coursework" means courses at the undergraduate level (i.e., two-year or four-year institution) or at the graduate level that will not duplicate previous courses taken in the humanities, history and social sciences, the sciences, mathematics, health and physical education, and the fine arts. These courses are usually available through the college or department of arts or sciences.</p> <p>"Denial" means the refusal to grant a teaching license to a new applicant or to an applicant who is reapplying after the expiration of a license.</p> <p>"Division Superintendent License" means a five-year, renewable license available to an individual who has completed an earned master's degree from an accredited institution of higher education and meets the requirements specified in 8VAC20-22-600. The individual's name must be listed on the Board of</p>	
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		<p>Education's list of eligible division superintendents.</p> <p>"Experiential learning" means a process of applying for an initial license through the alternate route as prescribed by the Board of Education and meeting the criteria specified in 8VAC20-22-90 E to be eligible to request experiential learning credits in lieu of the coursework for the endorsement (teaching) content area.</p> <p>"International Educator License" means a three-year cultural exchange opportunity for Virginia students and international teachers. The International Educator License is a professional, teaching license issued for no more than three years to an exchange educator with citizenship in a nation other than the United States of America, and employed as an educator in a Virginia public or accredited nonpublic school, to teach for up to three consecutive years.</p> <p>"Licensure by reciprocity" means a process used to issue a license to an individual coming into Virginia from another state when that individual meets certain conditions specified in the Board of Education regulations.</p> <p>"Local Eligibility License" means a license issued pursuant to § 22.1-299.3 of the Code of Virginia to an individual by a local school board based on specified criteria set forth by that section. The Local Eligibility License shall not be issued in the federal core teaching areas or special education. The license is valid for three years and is not transferable to another school division. The Local Eligibility License is a nonrenewable credential and is not reciprocal with other states.</p> <p>"Mentor" means a classroom teacher hired by the local school division who has achieved continuing contract status or other instructional personnel including retired teachers who meet local mentor selection criteria. The mentor</p>	<p>Pursuant to House Bill 2151 and Senate Bill 1223 approved by the 2013 Virginia General Assembly that eliminated the Local Eligibility License, the following text must be stricken from the regulations.</p> <p>"Local Eligibility License" means a license issued pursuant to § 22.1-299.3 of the Code of Virginia to an individual by a local school board based on specified criteria set forth by that section. The Local Eligibility License shall not be issued in the federal core teaching areas or special education. The license is valid for three years and is not transferable to another school division. The Local Eligibility License is a nonrenewable credential and is not reciprocal with other states.</p>
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		<p>should work in the same building as the beginning teacher or be instructional personnel who is assigned solely as a mentor. A mentor should be assigned a limited number of teachers at any time. Instructional personnel who are not assigned solely as mentors should not be assigned to more than four teachers at any time. Mentors guide teachers in the program through demonstrations, observations, and consultations.</p> <p>[Insert proposed text revision.]</p> <p>"Postgraduate Professional License" means a five-year, renewable license available to an individual who has qualified for the Collegiate Professional License and who holds an appropriate earned graduate degree from a regionally accredited institution.</p> <p>"Professional teacher's assessment" means those tests or other requirements mandated for licensure as prescribed by the Board of Education.</p> <p>"Provisional License" means a nonrenewable license valid for a period not to exceed three years issued to an individual who has allowable deficiencies for full licensure as set forth in these regulations. The individual must have a minimum of an undergraduate degree from a regionally accredited college or university (with the exception of those individuals seeking the Technical Professional License). The Provisional License, with the exception of those individuals seeking licensure through a career switcher program who will be issued a one-year Provisional License, will be issued for three years. Individuals must complete all requirements for a renewable license within the validity period of the license.</p> <p>"Pupil Personnel Services License" means a five-year,</p>	<p>Adds the definition of an Online Teacher License</p> <p><u>"Online Teacher License" means a five-year, renewable license valid only for teaching online courses. [Teachers who hold a five-year renewable license issued by the Board of Education may teach online courses for which they are properly endorsed and do not need to seek this license.]</u></p> <p>[The purpose of this text is to provide clarity of the definition of this license type.]</p>
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		<p>renewable license available to an individual who has earned an appropriate graduate degree from a regionally accredited institution with an endorsement for guidance counselor, school psychologist, school social worker, special education speech language pathologist preK-12, or vocational evaluator. This license does not require teaching experience.</p> <p>"Renewable license" means a license issued by the Board of Education for five years to an individual who meets the requirements specified in the Board of Education regulations.</p> <p>"Revocation" means the withdrawal of a teaching license.</p> <p>"Suspension" means the temporary withdrawal of a teaching license.</p> <p>"Technical Professional License" means a five-year, renewable license available to an individual who has graduated from an accredited high school (or possesses a General Education Development Certificate); has exhibited academic proficiency, technical competency, and occupational experience; and meets the requirements specified in 8VAC20-22-50.</p>	
<p>8VAC20-22-50. Types of licenses; dating licenses.</p>		<p>8VAC20-22-50. Types of licenses; dating licenses.</p> <p>The following types of licenses are available:</p> <p>1. Provisional License. The Provisional License is a nonrenewable license valid for a period not to exceed three years issued to an individual who has allowable deficiencies for full licensure as set forth in these regulations. The individual must have a minimum of an undergraduate degree from a regionally accredited college or university (with the exception of those individuals seeking the Technical Professional License). The Provisional License, with the exception of those individuals seeking</p>	

		<p>licensure through a career switcher program, will be issued for three years . Individuals must complete the requirements for the regular, five-year license within the validity period of the Provisional License.</p> <p>2. Collegiate Professional License. The Collegiate Professional License is a five-year, renewable license available to an individual who has satisfied all requirements for licensure, including an earned undergraduate degree from a regionally accredited college or university and the professional teacher's assessments prescribed by the Board of Education.</p> <p>3. Postgraduate Professional License. The Postgraduate Professional License is a five-year, renewable license available to an individual who has qualified for the Collegiate Professional License and who holds an appropriate earned graduate degree from a regionally accredited college or university.</p> <p>4. Technical Professional License. The Technical Professional License is a five-year, renewable license available to a person who has graduated from an accredited high school (or possesses a General Education Development Certificate); has exhibited academic proficiency, skills in literacy and communication, technical competency, and occupational experience; and has completed nine semester hours of specialized professional studies credit from a regionally accredited college or university. The nine semester hours of professional studies coursework must include human growth and development (three semester hours), curriculum and instructional procedures (three semester hours), and applications of instructional technology or classroom and</p>	
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		<p>behavior management (three semester hours). The Technical Professional License is issued at the recommendation of an employing educational agency in the areas of career and technical education, educational technology, and military science. Individuals seeking military science must have the appropriate credentials issued by the United States military. In addition to demonstrating competency in the endorsement area sought, the individual must:</p> <ul style="list-style-type: none"> a. Hold a license issued by the appropriate Virginia board for those program areas requiring a license and a minimum of two years of satisfactory experience at the journeyman level or an equivalent; b. Have completed a registered apprenticeship program and two years of satisfactory experience at the journeyman level or an equivalent level in the trade; or c. Have four years of work experience at the management or supervisory level or equivalent or have a combination of four years of training and work experience at the management or supervisory level or equivalent. <p>Individuals holding the Technical Professional License who seek the Collegiate Professional or Postgraduate Professional License must meet the professional teacher's assessments requirement.</p> <p>5. School Manager License. The school manager license is a five-year, renewable license intended to provide for the differentiation of administrative responsibilities in a school setting. A school manager is licensed to administer noninstructional responsibilities in an educational setting. For example, a school manager is restricted from evaluating teachers, supervising</p>	
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		<p>instruction, developing and evaluating curriculum, and serving as a school's student disciplinarian. The license is available to a candidate who holds a baccalaureate degree from a regionally accredited college or university; has three years of successful managerial experience; and is recommended for the license by a Virginia school division superintendent.</p> <p>6. Pupil Personnel Services License. The Pupil Personnel Services License is a five-year, renewable license available to an individual who has earned an appropriate graduate degree from a regionally accredited college or university with an endorsement for guidance counselor, school psychologist, school social worker, special education speech-language pathologist preK-12, or vocational evaluator. This license does not require teaching experience.</p> <p>7. Division Superintendent License. The Division Superintendent License is a five-year, renewable license available to an individual who has completed an earned master's degree from a regionally accredited college or university and meets the requirements specified in 8VAC 20-22-600. The individual's name must be listed on the Board of Education's list of eligible division superintendents.</p> <p>8. International Educator License. The International Educator License provides a three-year cultural exchange opportunity for Virginia students and international teachers. The International Educator License is a professional, teaching license issued for no more than three years to an exchange educator with citizenship in a nation other than the United States of America, and employed as an educator in a Virginia public or accredited</p>	
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		<p>nonpublic school, to teach for up to three consecutive years. This license does not require professional teacher's assessments; however, the individual will be subject to assessment requirements if the individual seeks a five-year renewable license. To be issued the International Educator License an individual must:</p> <ul style="list-style-type: none"> a. Be employed by a Virginia public or accredited nonpublic school; b. Hold non-U.S. citizenship and be a nonpermanent resident; c. Serve as an exchange teacher for a time period not to exceed three consecutive years; and d. Meet the following requirements as verified by a state-approved, federally-designated Exchange Visitor Program (22 CFR Part 62): <ul style="list-style-type: none"> (1) Be proficient in written and spoken English; (2) Demonstrate competence in the appropriate academic subject area(s); (3) Hold the U.S. equivalent of a baccalaureate degree or higher as determined by an approved credential agency; and (4) Hold U.S. or foreign educator credentials and completed at least one year of successful teaching experience that: <ul style="list-style-type: none"> (a) Enables the educator to fulfill a similar assignment in his home country; or (b) Is comparable to those requirements for Virginia teachers. <p>9. Local Eligibility License. The Local Eligibility License,</p>	<p>Pursuant to House Bill 2151 and Senate Bill 1223 approved by the 2013 Virginia</p>
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		<p>established by the Virginia General Assembly, is a valid, three-year nonrenewable license issued by a local school board to an individual who has met specified criteria set forth in § 22.1-299.3 of the Code of Virginia. The Local Eligibility License shall not be issued in the federal core teaching areas or special education. The license is not transferable to another division. The Local Eligibility License is a nonrenewable credential and is not reciprocal with other states.</p> <p>[Insert proposed text.]</p> <p>All licenses will be effective from July 1 in the school year in which the application is made. A Virginia employing education division or agency is required to notify employees in writing at the time of employment of the need to meet appropriate assessment requirements for licensure.</p>	<p>General Assembly that eliminated the Local Eligibility License, the following text must be stricken from the regulations.</p> <p>9. Local Eligibility License. The Local Eligibility License, established by the Virginia General Assembly, is a valid, three-year nonrenewable license issued by a local school board to an individual who has met specified criteria set forth in § 22.1-299.3 of the Code of Virginia. The Local Eligibility License shall not be issued in the federal core teaching areas or special education. The license is not transferable to another division. The Local Eligibility License is a nonrenewable credential and is not reciprocal with other states.</p> <p>[Adds the criteria for the Online Teacher License]</p> <p><u>10. Online Teacher License. The Online Teacher License is a five-year, renewable license valid only for teaching online courses. [Teachers who hold a five-year renewable license issued by the Board of Education may teach online courses for which they are properly endorsed and do not need to seek this license.]</u></p> <p><u>a. The individual is required to meet requirements for an endorsement in a content (teaching) area, professional studies requirements, and qualifying scores on professional teacher’s assessments as prescribed by the Virginia Board of Education. In addition, the individual must complete a three-semester-hour course in online instructional procedures.</u></p> <p><u>Online instructional procedures: 3 semester hours. Skills in this area shall contribute to an understanding of the principles of online learning and online instructional strategies and the application of skills in the ability to: use the Internet for teaching, learning, and management; design, deliver, and support instruction in an online environment; adapt strategies for a variety of course models (e.g., synchronous and asynchronous); select, adapt, and create rich multimedia for instruction; adapt Individualized Education Program requirements to online course practices, as appropriate; use data to meet individual students needs; and employ innovative teaching strategies in an online environment. Demonstrated proficiency of advanced skills in the following must be addressed: use of communication technologies to interact with and engage</u></p>
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			<p><u>students, parents, and mentors; use of education technologies; management of instructional activities in a technology-mediated environment; and nontraditional content delivery methods.</u></p> <p>b. <u>Online teaching experience is not acceptable to meet the full-time teaching experience for other license types, such as a division superintendent license, or for endorsements, such as for the reading specialist, school counselor, or administration and supervision endorsements. The Online Teacher License may be issued, if requirements have been met, as one of the following licenses to individuals teaching only online courses:</u></p> <p>(1) <u>Online Teacher (Postgraduate Professional) License--a five-year, renewable license available to an individual who has qualified for the Online Teacher Collegiate Professional License and who holds an appropriate earned graduate degree from a regionally accredited college or university.</u></p> <p>(2) <u>Online Teacher (Collegiate Professional) License--a five-year, renewable teaching license available to an individual who has satisfied all requirements for licensure, including an earned baccalaureate degree from a regionally accredited college or university, endorsement and professional studies requirements, and the professional teacher's assessments prescribed by the Board of Education, or</u></p> <p>(3) <u>Online Teacher (Technical Professional) License--a five-year, renewable teaching license available to an individual who has graduated from an accredited high school (or possesses a General Educational Development Certificate); has exhibited academic proficiency, technical competency, and occupational experience; and meets the requirements specified in 8VAC20-22-50. An individual seeking an Online Teacher Technical Professional License must be recommended for the license by a Virginia public school, Virginia accredited nonpublic school, or an accredited virtual school program.</u></p> <p>c. <u>A nonrenewable Online Teacher (Provisional) License may be issued for a period not to exceed three years to an individual who has allowable deficiencies for full licensure as set forth in Section 8VAC20-22-90B of these regulations. The individual must have a minimum of an undergraduate</u></p>
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			<p><u>degree from a regionally accredited college or university (with the exception of those individuals seeking the Technical Professional License). Individuals must complete all requirements for a renewable Online Teacher License within the validity period of the license.</u></p> <p>[The purpose of this text is to clearly outline the requirements an individual must complete to become eligible for an Online Teacher License.]</p>
<p>8VAC20-22-90. Alternate routes to licensure</p>		<p>8VAC20-22-90. Alternate routes to licensure.</p> <p>A. Career switcher alternate route to licensure for career professions. An alternate route is available to career switchers who seek teaching endorsements preK through grade 12 with the exception of special education.</p> <p>1. An individual seeking a Provisional License through the career switcher program must meet the following prerequisite requirements:</p> <ul style="list-style-type: none"> a. An application process; b. A baccalaureate degree from a regionally accredited college or university; c. The completion of requirements for an endorsement in a teaching area or the equivalent through verifiable experience or academic study; d. At least five years of full-time work experience or its equivalent; and e. Virginia qualifying scores on the professional teacher's assessments as prescribed by the Board of Education. <p>2. The Provisional License is awarded at the end of Level I preparation. All components of the career switcher alternate route for career professions must be completed by the</p>	

		<p>candidate.</p> <p>3. The Level I requirements must be completed during the course of a single year and may be offered through a variety of delivery systems, including distance learning programs. If an employing agency recommends extending the Provisional License for a second year, the candidate will enter Level III of the program. Career switcher programs must be certified by the Virginia Department of Education.</p> <p>a. Level I preparation. Intensive Level I preparation includes a minimum of 180 clock hours of instruction, including field experience. This phase includes, but is not limited to, curriculum and instruction, including technology, reading, and other specific course content relating to the Standards of Learning, differentiation of instruction, classroom/behavior management, instructional design based on assessment data, and human growth and development.</p> <p>b. Level II preparation during first year of employment.</p> <p>(1) Candidate seeks employment in Virginia with the one-year Provisional License.</p> <p>(2) Continued Level II preparation during the first year of employment with a minimum of five seminars that expand the intensive preparation requirements listed in subdivision 3 a of this subsection. The five seminars will include a minimum of 20 cumulative instructional hours. A variety of instructional delivery techniques will be utilized to implement the seminars.</p> <p>(3) One year of successful, full-time teaching experience in a Virginia public or accredited nonpublic school under a one-</p>	
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		<p>year Provisional License. A trained mentor must be assigned to assist the candidate during the first year of employment. Responsibilities of the mentor include, but are not limited to, the following:</p> <p>(a) Collaborate with the beginning teacher in the development and implementation of an individualized professional development plan;</p> <p>(b) Observe, assess, coach, and provide opportunities for constructive feedback, including strategies for self-reflection;</p> <p>(c) Share resources and materials;</p> <p>(d) Share best instructional, assessment, and organizational practices; classroom and behavior management strategies; and techniques for promoting effective communication; and</p> <p>(e) Provide general support and direction regarding school policies and procedures.</p> <p>(4) Upon completion of Levels I and II of the career switcher alternate route to licensure program and submission of a recommendation from the Virginia educational employing agency, the candidate will be eligible to apply for a five-year, renewable license. Renewal requirements for the regular license will be subject to current regulations of the Board of Education.</p> <p>c. Level III preparation, if required.</p> <p>(1) Post preparation, if required, will be conducted by the Virginia employing educational agency to address the areas where improvement is needed as identified in the candidate's professional improvement plan;</p>	
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		<p>and</p> <p>(2) Upon completion of Levels I, II, and III of the career switcher alternate route to licensure program and submission of a recommendation from the Virginia educational employing agency, the candidate will be eligible to receive a five-year renewable license.</p> <p>4. Verification of program completion will be documented by the certified program provider and the division superintendent or designee.</p> <p>5. Certified providers implementing a career switcher program may charge a fee for participation in the program.</p> <p>B. An alternate route is available to individuals employed by an educational agency who seek teaching endorsements preK through grade 12. [Insert proposed text.] Individuals must complete the requirements for the regular, five-year license within the validity period of the provisional license.</p> <p>1. An individual seeking a license through this alternate route must have met the following requirements:</p> <p>a. Are entering the teaching field through the alternate route to licensure upon the recommendation of the Virginia employing educational agency [Insert proposed text.]</p> <p>b. Hold a baccalaureate degree from a regionally accredited college or university with the exception of individuals seeking</p>	<p>[Adds the text to allow an individual seeking the Online Teacher License to become eligible through the alternate route which is available to other teachers. The text also clarifies that an individual can seek the license who is employed by an accredited virtual school or program.]</p> <p>B. An alternate route is available to individuals employed by an educational agency who seek teaching endorsements preK through grade 12. <u>This route is also applicable to individuals who are employed by a Virginia public school, a Virginia accredited nonpublic school, or an accredited virtual school or program and who are seeking the Online Teacher License that is issued to teachers who teach only online courses.</u> Individuals must complete the requirements for the regular, five-year license within the validity period of the provisional license.</p> <p>1. An individual seeking a license through this alternate route must have met the following requirements:</p> <p>a. Are entering the teaching field through the alternate route to licensure upon the recommendation of the Virginia employing educational agency <u>[For the Online Teacher Provisional License, individuals must be employed by a Virginia public school, a Virginia accredited nonpublic school, or an accredited virtual school or program.];</u></p> <p>b. Hold a baccalaureate degree from a regionally accredited college or university with</p>
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	<p>the Technical Professional License;</p> <p>c. Have met requirements for the endorsement area; and</p> <p>d. Need to complete an allowable portion of professional studies and licensure requirements.</p> <p>2. The professional studies requirements for the appropriate level of endorsement sought must be completed. A Virginia educational agency may submit to the Superintendent of Public Instruction for approval an alternate program to meet the professional studies requirements. The alternate program must include training (seminar, internship, coursework, etc.) in human growth and development, curriculum and instructional procedures (including technology), instructional design based on assessment data, classroom and behavior management, foundations of education and reading.</p> <p>3. One year of successful, full-time teaching experience in the appropriate teaching area in a Virginia public or accredited nonpublic school must be completed. [Insert proposed text.] A fully licensed experienced teacher must be available in the school building to assist the beginning teacher employed through the alternate route.</p> <p>C. Alternate route in special education. The Provisional License is a three-year</p>	<p>the exception of individuals seeking the Technical Professional License;</p> <p>c. Have met requirements for the endorsement area; and</p> <p>d. Need to complete an allowable portion of professional studies and licensure requirements.</p> <p>2. The professional studies requirements for the appropriate level of endorsement sought must be completed. A Virginia educational agency may submit to the Superintendent of Public Instruction for approval an alternate program to meet the professional studies requirements. The alternate program must include training (seminar, internship, coursework, etc.) in human growth and development, curriculum and instructional procedures (including technology), instructional design based on assessment data, classroom and behavior management, foundations of education and reading.</p> <p>[Clarifies that the individual may meet the experience requirement by teaching one year of successful online teaching experience in the endorsement area.]</p> <p>3. One year of successful, full-time teaching experience in the appropriate teaching area in a Virginia public or accredited nonpublic school must be completed. <u>For the Online Teacher License only, one year of successful online teaching experience in the endorsement area in a public school, an accredited nonpublic school, or an accredited virtual school or program may be accepted in lieu of the supervised teaching experience.</u> A fully licensed experienced teacher must be available in the school building to assist the beginning teacher employed through the alternate route.</p> <p>[Clarifies that an individual seeking the Online Teacher License is not eligible to seek the alternate route in special education.]</p> <p>C. Alternate route in special education. The Provisional License is a three-year</p>
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		<p>nonrenewable teaching license issued to an individual employed as a special education teacher in a public school or a nonpublic special education school in Virginia who does not hold the appropriate special education endorsement. This alternate route to special education is not applicable to individuals employed as speech pathologists. [Insert proposed text.] To be issued the Provisional License through this alternate route, an individual must:</p> <ol style="list-style-type: none"> 1. Be employed by a Virginia public or nonpublic school as a special educator and have the recommendation of the employing educational agency; 2. Hold a baccalaureate degree from a regionally accredited college or university; 3. Have an assigned mentor endorsed in special education; and 4. Have a planned program of study in the assigned endorsement area, make progress toward meeting the endorsement requirements each of the three years of the license, and have completed coursework in the competencies of foundations for educating students with disabilities and an understanding and application of the legal aspects and regulatory requirements associated with identification, education, and evaluation of students with disabilities. A survey course integrating these competencies would satisfy this requirement. The Provisional License through this alternate route shall not be issued without the completion of these prerequisites. <p>D. Alternate programs at institutions of higher education or Virginia school divisions. Alternate programs developed by institutions of higher</p>	<p>nonrenewable teaching license issued to an individual employed as a special education teacher in a public school or a nonpublic special education school in Virginia who does not hold the appropriate special education endorsement. This alternate route to special education is not applicable to individuals employed as speech pathologists <u>or to individuals seeking the Online Teacher License</u>. To be issued the Provisional License through this alternate route, an individual must:</p>
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		<p>education (i) recognize the unique strengths of prospective teachers from nontraditional backgrounds and (ii) prepare these individuals to meet the same standards that are established for others who are granted a license through an alternate route.</p> <p>E. Experiential learning. Individuals applying for an initial license through the alternate route as prescribed by the Board of Education must meet the following criteria to be eligible to request experiential learning credits in lieu of the coursework for the endorsement (teaching) content area:</p> <ol style="list-style-type: none"> 1. Hold a baccalaureate degree from a regionally accredited college or university; 2. Have at least five years of documented full-time work experience that may include specialized training related to the endorsement sought; and 3. Have met the qualifying score on the content knowledge assessment prescribed by the Board of Education. <p>The criteria do not apply to teachers of special education and elementary education (preK-3 and preK-6).</p>	
<p>8VAC20-22-110. Requirements for renewing a license.</p>		<p>8VAC20-22-110. Requirements for renewing a license.</p> <p>A. The Division Superintendent, Postgraduate Professional, Collegiate Professional, Technical Professional, Pupil Personnel Services, [Insert proposed text.] and School Manager Licenses may be renewed upon the completion of 180 professional development points within a five-year validity period based on an individualized professional development plan that includes</p>	<p><u>[Adds the Online Teacher License as a renewable license.]</u></p> <p>A. The Division Superintendent, Postgraduate Professional, Collegiate Professional, Technical Professional, Pupil Personnel Services, <u>Online Teacher</u>, and School Manager Licenses may be renewed upon the completion of 180 professional development points within a five-year validity period based on an individualized professional development plan that includes ongoing, sustained, and high-quality professional development.</p>

		<p>ongoing, sustained, and high-quality professional development.</p> <p>B. Virginia public school divisions and public education agencies must report annually to the Department of Education that instructional personnel have completed high quality professional development each year as set forth by the Virginia Department of Education.</p> <p>C. Professional development points may be accrued by the completion of professional development activities to improve and increase instructional personnel's knowledge of the academic subjects the teachers teach or the area assigned from one or more of the following eight options.</p> <p>1. College credit. Acceptable coursework offers content that provides new information and is offered on-campus, off-campus, or through extension by any regionally accredited two- or four-year college or university. College coursework must develop further experiences in subject content taught, teaching strategies, uses of technologies, leadership, and other essential elements in teaching to high standards and increasing student learning. At least 90 points for each five-year renewal shall be in the content area(s) currently being taught if the license holder does not hold a graduate degree. Instructional personnel must complete coursework to improve and increase the knowledge of the academic subjects or endorsement areas in which they are assigned.</p> <p>2. Professional conference. A professional conference is a workshop, institute, or seminar of four or more hours that contributes to ongoing, sustained, and high-quality</p>	
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		<p>professional development.</p> <p>3. Curriculum development. Curriculum development is a group activity in which the license holder contributes to the improvement of the curriculum of a school, a school division, or an education institution in the teaching area assigned. This includes the alignment of curriculum frameworks, instructional materials, and assessments to provide a system with clear expectations of what is to be taught and learned.</p> <p>4. Publication of article. The article must contribute to the education profession or to the body of knowledge of the license holder's teaching area or instructional position. Grant reports that present the results of educational research are acceptable provided the license holder had an active role in planning, analyzing, interpreting, demonstrating, disseminating, or evaluating the study or innovation. The article must be published in a recognized professional journal.</p> <p>5. Publication of book. Books must be published for purchase and must contribute to the education profession or to the body of knowledge of the license holder's teaching area or instructional position. The published book must increase the field of content knowledge, planning and assessment for evaluating and providing students with feedback that encourages student progress and measures student achievement, instruction, safety and learning environment, communication and community relations working with students, parents, and members of the community to promote broad support for student learning. Points will not be awarded for books self-published.</p> <p>6. Mentorship. Mentoring is the process by which an</p>	
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		<p>experienced professional, who has received mentorship training, provides assistance to one or more persons for the purpose of improving their performance. Assistance may involve role modeling, direct instruction, demonstration, observation with feedback, developing of plans, and consultation to promote instructional excellence and increased student achievement. Mentoring may include the supervision of a field experience of a preservice student teacher or an intern in an approved teacher/principal preparation program, as well as mentoring as part of the induction process for a beginning teacher or a first-year administrator. Individuals serving in this role and submitting documentation for license renewal based on the mentorship option shall receive training as a mentor prior to the assignment and at least once during the five-year renewal cycle.</p> <p>7. Educational project. Educational projects must be planned, focused projects based on high standards of teaching and learning. Projects must result in a written report or other tangible product. Projects must contribute to the education profession or to the body of knowledge of the license holder's teaching area or instructional position. A project could include participation in new professional responsibilities, such as leading a school improvement initiative.</p> <p>8. Professional development activity. Professional development activities must focus on student learning and achievement, schoolwide educational improvement, leadership, subject content, teaching strategies, and use of technologies and other essential elements in teaching to high standards. Activities must be planned, rigorous, systematic, and promote continuous inquiry</p>	
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		<p>and reflection. Local employing educational agencies are encouraged to design professional development activities that are conducted in school settings and linked to student learning and achievement.</p> <p>D. A minimum of 90 points (three semester hours in a content area) at the undergraduate (two-year or four-year institution) or graduate level in the license holder's endorsement areas shall be required of license holders without a master's degree and may be satisfied at the undergraduate (two-year or four-year institution) or graduate level. Special education coursework designed to assist classroom teachers and other school personnel in working with students with disabilities, a course in gifted education, a course in educational technology, or a course in English as a second language may be completed to satisfy the content course requirement for one cycle of the renewal process. Professional development activities designed to support the Virginia Standards of Learning, Standards of Accreditation, and Assessments may be accepted in lieu of the content course for one renewal cycle. <u>Insert proposed text.</u> The substance of the activities must clearly support these initiatives and address one or more of the following areas: (i) new content knowledge to implement the Virginia Standards of Learning; (ii) curriculum development initiative designed to translate the standards from standards to classroom objectives; (iii) teaching beginning reading skills including phonemic awareness and the structure of language (phonics); (iv) staff development activities in assessment to assist classroom teachers in the utilization of test results to improve classroom instruction; and (v) professional development designed to</p>	<p>[Adds proposed text to allow individuals without a master's degree holding an Online Teacher License to complete additional training in teaching online courses for renewal.]</p> <p><u>Individuals without a master's degree who hold a renewable Online Teacher License may complete pedagogy of online instruction coursework to meet this requirement.</u></p>
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		<p>implement the technology standards in the schools. Technical Professional License holders without baccalaureate degrees may satisfy the requirement through career and technical education workshops, career and technical education institutes, or through undergraduate coursework at two-year or four-year institutions.</p> <p>E. Content area courses are courses at the undergraduate level (two-year or four-year institution) or at the graduate level that will not duplicate previous courses taken in the humanities, history and social sciences, the sciences, mathematics, health and physical education, and the fine arts. These courses are usually available through the college or department of arts and sciences. License holders with elementary education, middle education, special education, or reading endorsements must satisfy the 90-point requirement through reading coursework or content coursework in one of the areas listed above. Courses available through a regionally accredited college's or institution's department of education may be used to satisfy the content requirement for those license holders with endorsements in health and physical education, career and technical education, and library science education.</p> <p>F. With prior approval of the division superintendent, the 90 points in a content area also may be satisfied through coursework taken to obtain a new teaching endorsement or coursework taken because of a particular need of a particular teacher.</p> <p>G. The remaining 90 points may be accrued by activities drawn from one or more of the eight renewal options. Renewal work is designed to provide licensed</p>	
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		<p>personnel with opportunities for professional development relative to the grade levels or teaching fields to which they are assigned or for which they seek an added endorsement. Such professional development encompasses (i) responsible remediation of any area of an individual's knowledge or skills that fail to meet the standards of competency and (ii) responsible efforts to increase the individual's knowledge of new developments in his field and to respond to new curricular demands within the person's area of professional competence.</p> <p>H. The proposed work toward renewal in certain options must be approved in advance by the chief executive officer or designee of the employing educational agency. Persons who are not employed by an educational agency may renew or reinstate their license by submitting to the Office of Professional Licensure, Department of Education, their individualized renewal record and verification of points, including official student transcripts of coursework taken at an accredited two-year or four-year college or university.</p> <p>I. Accrual of professional development points shall be determined by criteria set forth by the Virginia Department of Education.</p> <p>J. Persons seeking license renewal as teachers must demonstrate proficiency in the use of educational technology for instruction.</p> <p>K. Virginia school divisions and nonpublic schools will recommend renewal of licenses using the renewal point system. The renewal recommendation must include verification of demonstrated proficiency in the use of educational technology</p>	
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		<p>for instruction.</p> <p>L. Training in instructional methods tailored to promote academic progress and effective preparation for the Standards of Learning tests and end-of-grade assessments is required for licensure renewal.</p> <p>M. If they have not already met the requirement, persons seeking licensure renewal as teachers must complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board of Education in consultation with the Department of Social Services that are relevant to the specific teacher licensure routes.</p>	
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