

Rules Governing the Licensing of Educators and the Preparation of Educational Professionals

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LICENSING RULES

5100 STATUTORY AUTHORITY

16 VSA §1691a; 16 VSA §1692; 16 VSA §1694; 16 VSA §1695; 16 VSA §1697.

5150 Definition of Terms

For the purpose of these Licensing Rules, unless the context otherwise clearly requires, the following definitions apply:

“Add-On” refers to an endorsement that may only be acquired as an additional endorsement to an existing Level I or II educator license.

“Administrator” means an individual licensed under Chapter 51 of Title 16 the majority of whose time in a public school, school district, or supervisory union is assigned to developing and managing school curriculum, evaluating and disciplining personnel, or supervising and managing a public school system or public school program.

“Applicant” means an individual applying for a license.

“Approved Educator Preparation Program(s)” means one or more educator preparation programs offered within an institution of higher education, that meets established standards according to these rules, or their equivalent in other states, and is approved to recommend candidates for educator licensure by the Vermont Standards Board for Professional Educators or the equivalent approval body in other states.

“Associate’s Degree” means a minimum of forty-eight (48) college credit hours from a regionally accredited or state-approved institution.

“Career and Technical Education Endorsement” means an endorsement to teach one or more of the specific trades or industries specified in Section 5445 of these rules.

“Career and Technical Education Mentor Program” means the program through which an applicant for a Career and Technical Education endorsement may meet the requirements of Sections 5230-5235 of these rules.

“Commissioner” means the Vermont Commissioner of Education or an agent designated by the Commissioner to carry out a particular duty.

“Cooperating Educator” means an educator assigned to a student teacher or intern by a local school in order to fulfill the requirements of Section 5923 of these rules.

“Core Content Areas” means English, math, science, and social studies.

“Diverse Learning Needs” means the needs of all students including: females as well as males; members of ethnic and racial minorities as well as ethnic and racial majorities; students who are socioeconomically disadvantaged, as well as those who are more advantaged; students who have not been successful in school as well as those who have been successful; and students who have been denied access in any way to educational opportunities as well as those who have not.

“Educational Entities” means Vermont public schools, Independent Schools approved by the State Board of Education, and Recognized Schools.

“Educational Functions” means activities such as planning, development, or management of curriculum; provision or oversight of instructional or student support services; assessment or oversight of the assessment of students; or supervision or evaluation of educational staff.

“Educator” means any teacher or administrator requiring a license under Chapter 51 of Title 16.

“Endorsement” means the grade level and field in which an educator is authorized to serve, pursuant to Rule 5440, as identified by the code numbers and legend printed on the license. A license shall bear one or more endorsements.

“Field” means an administrative or instructional area, or area of professional practice.

“Five Standards for Vermont Educators” means the core standards for what all educators should know and be able to do as defined in the document titled *Five Standards for Vermont Educators: A Vision for Schooling* as developed, and periodically updated, by the Vermont Standards Board for Professional Educators.

“Hearing Panel” means the persons assigned in individual cases to find facts, reach conclusions of law, and make decisions regarding compliance with standards for obtaining, retaining, and renewing licenses.

“Individual Professional Development Plan (IPDP)” means a plan describing the professional development goals to be pursued during a specified period of time by the individual filing such plan.

“Initial Licensure” means the first professional educator license and endorsement acquired by an applicant. All subsequent licenses and/or endorsements shall be considered additional, whether they are acquired concurrently or subsequently.

“Interdisciplinary Major” means a planned program of study, approved by the institution, which includes courses in no more than three disciplines in the liberal arts or sciences and at least eighteen (18) credit hours in one of those disciplines.

“Internship” means a graduate experience in which one is supervised by both an onsite supervisor and qualified faculty of an institution of higher education.

“Interstate Reciprocity” means the system whereby a recommendation for licensure from a state-approved educator preparation program at an accredited college or university, or a professional license, is recognized in another state. The reciprocity is governed by the Interstate Agreement developed by the National Association of State Directors of Teacher Education and Certification (NASDTEC). It does not guarantee that a license in one state can simply be “traded in” for a license in another state. Each state that is a signatory to the Agreement sets its own rules and conditions under which a license will be issued.

“Liberal Arts and Sciences” means those academic courses of instruction intended to provide a general knowledge in the arts, humanities, sciences, and mathematics, as opposed to professional and technical subjects.

“License” means a license to engage in teaching or school administration, as the context requires, in the state and includes the endorsements the licensee possesses.

“Licensee” means an individual licensed under Chapter 51 of Title 16.

“Licensing Action” means action that suspends, revokes, limits, or conditions licensure or certification in any way and includes warnings, reprimands, probation, and administrative penalties.

“Local Standards Board (LSB)” means a board whose majority membership shall be licensed teachers and that is established and maintained pursuant to Rule 5620 for the primary purpose of recommending teachers for relicensure pursuant to these rules.

“Major” means an academic major granted as part of a bachelor’s degree by an accredited/approved four-year institution. The equivalent of a major is defined as a compilation of at least thirty (30) credit hours in the specified major field from accredited/approved institution(s), at least nine (9) of which shall be advanced undergraduate courses or higher.

“Master’s degree” means an advanced academic degree granted by an accredited/approved graduate institution.

“Minor” means an academic minor granted as a part of a bachelor's degree by an accredited/approved four-year institution, or a compilation of at least eighteen (18) credit hours in the specified minor field from accredited/approved institution(s), at least six (6) of which shall be advanced undergraduate courses or higher.

“Office” means the office within the Vermont Department of Education responsible for professional standards and educator licensing, and that addresses issues of professional licensing.

“Practicum” means a minimum of sixty (60) clock hours of supervised field experience.

“Professional Educator License” means a non-conditional, current license comparable to a Level I or Level II Vermont educator license and does not include Provisional, Emergency, Teaching Intern, or Apprenticeship licenses or their equivalent in other states.

“Regional Standards Board (RSB)” means a board whose majority membership shall be licensed administrators and that is established and maintained, pursuant to Rule 5630, for the primary purpose of recommending administrators for relicensure pursuant to these rules.

“Relicensure Credit” means a unit of measure assigned by a local or regional standards board, or the Office, to professional development activities other than academic credit bearing courses that meet standards for relicensure. Fifteen (15) clock hours of professional development is equivalent to one (1) relicensure credit. Relicensure credits and academic credits apply equally toward relicensure requirements.

“School Year” means the year beginning July 1 and ending the next June 30.

“Standards Board” means the Vermont Standards Board for Professional Educators established under Section 1693 of Title 16.

“Student Teaching” means a minimum of twelve (12) consecutive weeks of supervised, concentrated field experience required for initial licensure, including student teaching, internship, or other concentrated field experience however named, in which the candidate shall gradually assume the full professional roles and responsibilities of an educator in the initial endorsement area sought.

“Superintendent” means the Chief Executive Officer of a school district or, if the district chooses not to employ a superintendent, it means the qualified person(s) assigned a superintendent’s duties by a school board pursuant to 16 VSA § 241.

“Teacher” means an individual licensed under Chapter 51 of Title 16 the majority of whose employed time in a public school district or supervisory union is assigned to furnish to students direct instructional or other educational services, as defined by rule of the Standards Board, or who is otherwise subject to licensing as determined by the Standards Board.

“Technical Development Plan” means a plan that sets forth how an applicant for licensure with a Career and Technical Education endorsement who has not met the requirements of Sections 5230-5235 of these rules intends to meet those requirements.

“Transcript Review” means the process of qualifying for additional endorsement and/or initial licensure (only an option in a limited number of endorsement areas) by documentation of qualifications via academic transcripts.

5200 LICENSING RULES

5210 License Expiration

Any license issued shall expire on June 30 of the expiration year specified on the license.

5211 Effective Dates

5211.1 It is the responsibility of higher education institutions with approved educator preparation programs and of coordinators of approved alternate route to licensure programs to ensure that they are aware of all changes to licensing rules and/or policies, including endorsement changes, including those made subsequent to their program approval date. The Office will inform, in a timely manner, higher education institutions with approved educator preparation programs and coordinators of approved alternate route to licensure programs of any changes to licensing rules and/or policies.

5211.2 Approved educator preparation and alternate route to licensure programs shall ensure that all general licensure competencies (if appropriate), specific endorsement competencies and additional requirements, if any, and other licensure requirements in effect on the date of application for program approval are addressed for each candidate in the program.

5211.3 Candidates for peer review, transcript review, or licensure via any other alternate route to licensure approved under 5332 shall be required to demonstrate competence in accordance with the general licensure competencies, specific endorsement competencies and additional requirements, if any, and other licensure requirements in effect at the time of written notification of acceptance of their credentials for review under Rule 5331 (peer review), 5310 or 5323 (transcript review), or 5332 (other approved routes).

5220 Who Needs To Be Licensed/Responsibilities for Licensure

5220.1 Except as set forth in rule 5380, any educator employed in a public school shall possess a valid Vermont educator license, an endorsement appropriate to the professional assignment, and any other license or credential required by these rules or the applicable endorsement, on the first day of service. The educator shall maintain the educator license, endorsement, and any other applicable license or credential throughout the period of service.

5220.2 Except as set forth in rule 5380, any individual who performs educational functions covered by any endorsement authorization statement in these rules, whether as an independent contractor or an employee of a school district or supervisory union, shall hold an appropriate license and endorsement.

5220.3 In limited circumstances, qualified professionals or skilled people trained in a field other than education may perform educational functions without licensure providing they are supplementing the educational functions performed by licensed school personnel. “Supplementing” means extending or intensifying the educational functions performed by licensed personnel. Individuals who are supplementing educational functions shall work under the supervision of a licensed educator(s) who is appropriately endorsed for the assignment. For purposes of this rule, “supervision” means direct responsibility for overseeing the work of the non-licensed individual.

5220.4 Paraprofessionals, student teachers, and volunteers are not required to hold licenses but shall work under the on-site supervision of licensed educators.

- 5220.5 A license and/or an endorsement is not valid until it is issued in the name of the Standards Board.
- 5220.6 It is the responsibility of the individual to obtain a license, an endorsement(s), and any other license or credential required by these rules or by the applicable endorsement, to attend to all renewal requirements and to seek renewal in a timely manner.
- 5220.7 It is the responsibility of the superintendent or director of an independent career and technical center to ensure that on the first day of any assignment of duties requiring licensure under these rules, each educator has a valid license, an appropriate endorsement, and any other applicable license or credential for the educator's assigned duties, and to ensure that the license and endorsement, as well as any other applicable licenses or credentials, are maintained throughout the assignment. Failure to do so may subject the superintendent or director of an independent career and technical center to the discipline under provisions of Chapter 51 of Title 16.

5221 Clerical Error, Omission or Misrepresentation

Any license or endorsement mistakenly issued by the Standards Board may be voided by the Commissioner without need for revocation proceedings under the following circumstances:

- A. clerical error by any party,
- B. omission of information required by the applicant, or
- C. erroneous information provided by any party.

When a license and/or endorsement is voided under this rule, the holder shall receive written notice of the action and reason thereof.

5230 General Requirements for All Applicants for Professional Licensure

- 5231 Except as otherwise noted by this section, the applicant shall hold a baccalaureate degree from a regionally accredited or state-approved institution and shall have successfully completed a major, or its equivalent, in the liberal arts and sciences, or in the content area of the endorsement sought.

An applicant for a Career and Technical Education endorsement, or an educator who holds a Career and Technical Education endorsement, need not hold a bachelor's degree or have a major in the liberal arts and sciences. However, an applicant for a Career and Technical Education endorsement shall hold at least an Associate's Degree, or the equivalent, in order to qualify for Level I Licensure. Applicants for the Junior ROTC Instructor endorsement need not hold a bachelor's degree.

An applicant for a School Nurse endorsement shall have graduated from a nationally accredited, four-year nursing program. An applicant for an Associate School Nurse endorsement shall hold at least an RN degree from a nationally accredited nursing program. Holders of Career and Technical Education, Junior ROTC Instructor, or Associate School Nurse endorsements must meet the baccalaureate degree requirement if they wish to qualify to add additional endorsements other than those exempted from the baccalaureate degree requirement in this section.

Applicants for Audiology and Speech Language Pathology licenses or Educational Speech Language Pathology, School Psychologist, School Social Worker, School Nurse, Associate School Nurse, Junior ROTC Instructor, Cooperative Career and Technical Education Coordinator, and Assistant Director for Adult Education endorsements need not meet the requirements of sections 5233 and 5235 of these rules. However, individuals holding

endorsements in one or more of these areas who have not already met the requirements of sections 5233 and 5235 of these rules must meet these requirements in order to qualify for additional endorsements in any other teaching or administrative area.

- 5232 Documentation of the specified content knowledge and performance standards and additional requirements, if any, for the endorsement(s) being sought.
- 5233 Evidence of at least twelve (12) consecutive weeks of student teaching, or an equivalent learning experience as determined by Standards Board policy or by the requirements of the endorsement.
- 5234 Demonstrated ability to communicate effectively in speaking, writing, and other forms of creative expression and the ability to apply basic mathematical skills, critical thinking skills, and creative thinking skills.
- 5235 Demonstrated competency as specified in the following requirements:
- 5235.1 The educator has knowledge and skills in the content of his or her endorsement(s) at a level that enables students to meet or exceed the standards represented in both the Fields of Knowledge and the Vital Results of *Vermont's Framework of Standards and Learning Opportunities*.
 - 5235.2 The educator understands how individuals learn and grow and provides learning opportunities that support intellectual, physical, social, and emotional development.
 - 5235.3 The educator understands how individuals and groups differ and creates equitable instructional opportunities that respond to the needs of all students.
 - 5235.4 The educator understands and uses a variety of instructional strategies to provide opportunities for all students to meet or exceed the expectations in *Vermont's Framework of Standards and Learning Opportunities*.
 - 5235.5 The educator creates a classroom climate that encourages respect for self and others, positive social interaction, and personal health and safety.
 - 5235.6 The educator implements, adapts, revises, and, when necessary, creates curriculum based on standards, knowledge of subject matter, and student needs and interests.
 - 5235.7 The educator uses multiple assessment strategies to evaluate student growth and modify instruction to ensure continuous intellectual, social, physical, and emotional development of every student.
 - 5235.8 The educator integrates students with disabilities into appropriate learning situations.
 - 5235.9 The educator integrates current technologies in instruction, assessment, and professional productivity.
 - 5235.10 The educator understands conditions and actions which would tend to discriminate against students on the basis of sex, race, color, creed, age, sexual orientation, or national origin, and takes proactive steps to address discrimination.
 - 5235.11 The educator works as a team member and establishes collaborative relationships with school colleagues, parents, and agencies and others in the broader community to support

students' learning and well-being, and to implement the school's goals and articulated curriculum.

5235.12 The educator recognizes multiple influences on students inside and outside the school and accesses appropriate systems of support for students.

5235.13 The educator understands laws related to student and educator rights and responsibilities, and applies current state and federal laws and regulations as they pertain to all children, including those who are at risk and those with disabilities, and treats students and colleagues fairly and equitably.

5235.14 The educator grows professionally, through a variety of approaches, to improve professional practice and student learning.

5235.15 The educator assesses student progress in relation to standards and modifies curricula and instruction, as necessary, to improve student learning.

5235.16 The educator maintains useful records of student work and performance and knowledgeable, responsibly, and effectively communicates student progress in relation to standards in a manner easily understood.

5236 Applicants shall meet all other requirements specified by law and regulation.

5240 Examination Requirements For All Applicants For Level I or Level II Licenses and Additional Endorsements

5241 Except as otherwise provided by Rule 5247, or Rule 5436.2, all applicants for initial licensure under sections 5310, 5320, 5330, or 5340 of these rules shall be required to meet the passing scores established by the Standards Board on the Praxis I examinations in reading, writing, and mathematics or other skills examinations selected by the Standards Board.

5242 Subject Matter Examinations in English, Mathematics, Science, Social Studies, Elementary Education, Middle Grades, Modern and Classical Languages, Art, Music, and Physical Education. Except as otherwise provided by Rule 5247, all applicants for initial or additional endorsements in English, Mathematics, Science, Social Studies, Elementary Education, Middle Grades, Modern and Classical Languages, Art, Music, and Physical Education shall be required to meet the passing scores established by the Standards Board on the applicable Praxis II examination or other examination selected by the Standards Board in the endorsement area sought.

5243 Subsequent Subject Matter Examinations. Except as otherwise provided by Rule 5247, all applicants for initial or additional endorsements in Early Childhood Education, Special Education, and any other endorsement areas identified thereafter by the Standards Board, shall be required to meet the passing score established by the Standards Board on the Praxis II examination or other examination selected by the Standards Board in the endorsement area sought. If any Praxis II examination required by this section is not validated for use in Vermont prior to the effective date of the examination, this requirement shall not take effect until validation for that examination is complete.

5244 Alternatives to Examinations. The Standards Board may adopt an alternative method to an examination requirement for all applicants when it is shown to provide evidence of basic skill or content competency comparable to that of the passing scores on the required examinations.

5245 Adoption of Testing Elements, Public Notice, and Consideration of Recommendation. Before adopting:

- A. scores for passing the examinations required under these rules;
- B. examinations other than Praxis I and II;
- C. alternative methods of demonstrating competency; or
- D. additional endorsement areas to be subject to examination requirements;

The Standards Board shall, after public notice of its deliberations, consider the recommendations of interested individuals and organizations. The effective date of any examination or alternative to an examination adopted to take the place of the Praxis I or Praxis II examination requirement or the addition of new endorsement areas subject to examination requirements shall be no less than one (1) year from the date of adoption.

5246 Review of Passing Scores. Passing scores for examinations will remain in effect for three years. At the end of the first three-year period, and every three years thereafter, the Standards Board shall review the passing scores and any alternatives then in place, and may make modifications to be in effect during the ensuing three-year period. Scores adopted by the Standards Board for passing the examinations, or alternatives to examinations required under these rules, shall apply to any application for licensure submitted subsequent to the effective date specified at the time of adoption.

A candidate who retakes an applicable examination in order to achieve a passing score, or who seeks to qualify by complying for the second or subsequent time with an alternative requirement, must meet the standard in effect when the score or alternative is submitted as part of an otherwise complete application for licensure.

5247 Exemptions. Candidates meeting the following criteria shall be exempt from the examination requirements set forth in these rules:

5247.1 A candidate who qualifies under the interstate reciprocity provisions of these rules, and who has a minimum of twenty-seven (27) months of at least half-time employment experience during the seven (7) years immediately preceding the application for a Vermont license, as a professionally licensed educator in the endorsement area for which an endorsement is sought.

5247.2 A candidate who, prior to the effective date of a particular examination requirement, has received written notification from the Office or a panel convened to review credentials under section 5330 of these rules that a license will be granted upon completion of specified requirements.

5247.3 A candidate who otherwise qualifies for a license or endorsement, and who is certified by the National Board for Professional Teaching Standards in the applicable endorsement area.

5247.4 Waiver Of Praxis I Requirement

- A. A superintendent may apply for the waiver on behalf of the school district
- B. The school district would need to demonstrate that not being given a waiver would substantially inhibit the districts ability to carry out “its locally established objectives.”
- C. The prospective teacher on whose behalf the waiver is being requested must document that he/she:

1. has undertaken additional efforts to acquire knowledge and skills necessary such as tutoring and courses,
 2. has an identified and documented disability and has exhausted all ETS procedures for accommodations for that disability, and
 3. has taken the exam a minimum of three times without being able to meet the required cut scores.
- D. If A - C are met and the VSBPE finds that the candidate is otherwise qualified, the VSBPE will instruct the Educator Quality Division's Licensing Office to issue a license that is restricted to teaching in the school building of the district making the waiver request.

5300 PROCESSES FOR BECOMING LICENSED

Applicants may seek licensure, through written application, by the following methods:

5310 Approved Vermont Educator Preparation Program

The applicant has successfully completed and been recommended for licensure by a Vermont educator preparation program approved by the Standards Board pursuant to Section 5900 of these rules. The applicant shall meet requirements for updated knowledge and skills as established by Standards Board policy when there is a time lapse of ten (10) or more years between the time of recommendation for licensure and application for licensure. An applicant who completed an approved Vermont educator preparation program and holds a current license in another state shall be considered under Section 5320 of these rules.

The knowledge and skills of an applicant for an initial license who wishes to qualify for an endorsement for which an approved Vermont educator preparation program does not exist, or did not exist within the last five (5) years, shall be evaluated by the Standards Board, or its designee, on an individual basis, through transcript review, to establish that the applicant meets the requirements of these rules. Only coursework for which the applicant received a grade of "C" or better may be counted toward the requirements for initial licensure through transcript review.

5320 Interstate Reciprocity

5321 An applicant who has successfully completed a state-approved educator preparation program in a state with which Vermont has signed an interstate reciprocity agreement and who meets the requirements specified in such agreement and ancillary requirements as defined in such agreement and specified in these rules shall be issued a comparable license and/or endorsement(s) according to the provisions of these rules. The applicant shall meet requirements for updated knowledge and skills as established by Standards Board policy when there is a time lapse of ten (10) or more years between the time of recommendation for licensure and application for licensure.

5322 An applicant who holds a professional license in a state with which Vermont has signed an interstate reciprocity agreement, has provided satisfactory service under that license as an educator in a school in an assignment covered by the endorsement sought, on at least a half-time basis for not fewer than twenty-seven (27) months during the seven (7) years immediately preceding the application for a Vermont license, and who meets the requirements of the agreement and ancillary requirements as defined in the agreement and specified in these rules shall be issued a comparable license and/or endorsement(s) according to the provisions of these rules.

- 5323 An applicant for Vermont licensure who holds a professional license in a state not participating in a reciprocity agreement, or an applicant whose category of licensure is not covered by a reciprocity agreement, shall be evaluated by the Standards Board, or its designee, on an individual basis by transcript review to establish whether the applicant meets the competency requirements of these rules. Only coursework for which the applicant received a grade of “C” or better may be counted toward the requirements for initial licensure through transcript review.
- 5324 An applicant for Vermont licensure who is certified by the National Board for Professional Teaching Standards shall be issued a license in the comparable endorsement area.
- 5325 When an endorsement requires an additional license or certificate, a copy of the valid document shall be provided by the applicant.
- 5326 A Vermont license and endorsement(s) issued through reciprocity shall be subject to renewal provisions of Section 5430 of these rules.

5330 Alternate Routes to Licensure

- 5331 Peer Review. An individual who holds at least a baccalaureate degree, from a regionally accredited or state-approved institution and who has successfully completed a major, or its equivalent, in the liberal arts and sciences, or in the content area of the endorsement sought, may be licensed or receive additional endorsements, through a peer review process that is approved and periodically monitored by the Standards Board. For endorsement areas requiring an advanced degree, the individual must hold the specified advanced degree in order to be deemed eligible to proceed with the Peer Review process. Any evaluation panel established to review the qualifications of an applicant under this section shall include individuals who are qualified in the field of practice for the endorsement(s) sought by the applicant. The evaluation panel shall determine whether the applicant meets the requirements for licensure based on evidence of competence, preparation, and experience in the field of practice for which the license and/or endorsement(s) is sought and recommend accordingly. The applicant shall meet requirements for updated knowledge and skills as established by Standards Board policy when there is a time lapse of ten (10) or more years between the time of recommendation for licensure and application for licensure.
- 5332 Other Approved Alternate Routes. An individual who holds at least a baccalaureate degree from a regionally accredited or state-approved institution and who has successfully completed a major, or its equivalent, in the liberal arts and sciences, or in the content area of the endorsement sought, may be licensed by completing an alternate preparation process approved by the Standards Board. For endorsement areas requiring an advanced degree, the individual must hold the specified advanced degree in order to be deemed eligible to proceed with any other alternate preparation process approved by the Standards Board.

5340 Apprenticeship Program for Individuals Seeking Licensure as Career and Technical Educators

- 5340.1 Upon employment by a Career and Technical Center, an applicant for licensure as a career and technical educator with a Career and Technical Education endorsement, who does not otherwise meet the requirements of Sections 5231 - 5236 of these rules as demonstrated through one of the processes outlined in 5310 - 5332 of these rules, shall develop a Technical Development Plan which sets forth how the applicant intends to meet those requirements.

- 5340.2 The Technical Development Plan shall be developed by the applicant and the Director of the Career and Technical Education Mentor Program and be approved by the Director of the Career and Technical Center.
- 5340.3 An Apprenticeship License shall be issued when the Technical Development Plan is submitted to, and approved by the Standards Board, or its designee. The Apprenticeship License shall be valid for up to three (3) years. The applicant shall not begin the teaching assignment until the Apprenticeship License is issued.
- 5340.4 Annual yearly progress on the Technical Development Plan shall be monitored by the Director of the Career and Technical Education Mentor Program. Unsatisfactory yearly progress shall be reported to the Standards Board or its designee.
- 5340.5 The Director of the Career and Technical Education Mentor Program will verify satisfactory completion of the Technical Development Plan. Satisfactory completion shall be indicated on a form signed by the Director of the Career and Technical Education Mentor Program, which shall be submitted with the Level I licensing application. The Apprenticeship License shall not be extended unless the Standards Board, or its designee, determines extenuating circumstances exist that prevented the holder from satisfactorily completing an Associate's Degree, or the equivalent, or the Technical Development Plan, within the three (3) years. Under these conditions, the Apprenticeship License may be extended for one additional two (2)-year period.
- 5340.6 Within three (3) months of having received notice of completion of the Technical Development Plan, the applicant shall apply for a Level I License. That License shall be valid for three years and be subject to provisions for renewal stated in Section 5430.

5350 Provisional Licenses and Endorsements

- 5351 The Standards Board, or its designee, shall issue a two-year Provisional License with an endorsement to an individual on the application of a superintendent or director of an independent school where licensure is required by state and/or federal law when the local district or independent school is unable to find an appropriately licensed and/or endorsed applicant after making all reasonable efforts to do so, or when a licensed or endorsed applicant does not possess the qualifications necessary for the specific assignment. The application for a Provisional License or endorsement shall include a plan for obtaining a Level I License or endorsement and an explanation of how the applicant will be mentored and supervised during the two-year period of the Provisional License.

Qualifications – With the exceptions below, applicants for a Provisional License and/or endorsement shall possess a baccalaureate degree and meet at least one of the following criteria:

- A. Possess any valid educator license from Vermont or from another state, or
- B. Possess any expired Vermont educator license or any expired educator license from another state, provided the license expired no longer than 10 years ago, or
- C. Have a major in the content area of the provisional endorsement sought, or
- D. Have successfully completed the licensure content assessment for the provisional endorsement sought.

To qualify for a Provisional School Nurse or Associate School Nurse endorsement, the individual must hold the RN degree and a current Vermont nursing license. Applicants for Provisional Associate School Nurse endorsements must have an Associate's Degree/Diploma from a nursing program accredited by the National League for Nursing (NLN) but are exempt from the

baccalaureate degree requirement. Applicants for Provisional Career and Technical Education endorsements must have an Associate's Degree, or its equivalent, but are exempt from the baccalaureate degree requirement. Applicants for a Provisional Educational Speech Language Pathologist endorsement must hold a current Vermont clinical SLP license. Applicants for Provisional Junior ROTC Instructor endorsements must hold the Department of Defense certification as a junior ROTC instructor and are exempt from the baccalaureate degree requirement. Applicants for Provisional Driver and Traffic Safety Education endorsement must demonstrate coursework equivalent to Vermont's Driver Education I and II and meet the Additional Requirements for the endorsement. Applicants for a Provisional School Psychologist endorsement must hold a current Vermont Clinical Psychologist license.

- 5352 A provisional endorsement may be requested without making all reasonable attempts to find a properly endorsed person when the superintendent wishes to assign a current employee who is licensed in Vermont, but not properly endorsed for the assignment, or an unlicensed individual who is a candidate in a diversity program approved by the Commissioner. In either instance the individual must submit a plan by which he/she will qualify for licensure and/or endorsement within the two year provisional period. If the employee is not properly endorsed at the expiration of the provisional endorsement, the district shall make all reasonable efforts to seek a properly endorsed applicant.
- 5353 Provisional License or endorsement requests shall not be approved before June 1 for the ensuing year unless the request is for an administrator whose assignment for the ensuing year begins prior to that date. Provisional License requests for such assignments shall not be approved prior to April 1 for the ensuing school year.
- 5354 A Provisional License or endorsement shall expire on June 30 of the second school year for which it was granted.
- 5355 A Provisional License or endorsement shall not be extended for any individual unless the Standards Board, or its designee, determines that extenuating circumstances existed that prevented the individual from completing the approved plan for Level I licensure.
- 5356 An educator who holds a Provisional License may be employed by any school district during the life of the Provisional License if the employing district shows need in accord with Section 5351 of these rules.

5360 Emergency Licenses and Endorsements

The Standards Board, or its designee, shall issue a one-year Emergency License or endorsement to an individual on the application of a superintendent or director of an independent school when the local district or independent school where licensure is required by state and/or federal law is unable to find appropriately licensed and/or endorsed applicants, or applicants who meet the qualifications for provisional, apprenticeship, or teaching intern licensure, after making all reasonable efforts to do so.

- 5361 Emergency Licenses and endorsements shall be issued only to individuals who hold a baccalaureate degree, but do not meet the qualifications for a Provisional License as stated in Section 5351 of these rules. The application for an Emergency License shall include an explanation of how the applicant will be mentored and supervised. Applicants for emergency Career and Technical Education endorsements need not meet the baccalaureate degree requirement.

- 5362 An Emergency License or endorsement shall not be approved before July 15 for the ensuing school year unless the request is for an administrator whose assignment for the ensuing year begins prior to that date. Emergency license requests for such assignments shall not be approved prior to June 1 for the ensuing school year.
- 5363 An Emergency License or endorsement shall expire on June 30 of the school year in which it was issued, shall be valid only for the assignment for which it was issued, and shall not be renewable for a second year.
- 5364 No emergency Special Educator, Consulting Teacher, Early Childhood Special Educator, Intensive Special Education Teacher, Teacher of the Blind and Visually Impaired, Teacher of the Deaf and Hard of Hearing, Career and Technical Education Special Needs Coordinator, School Nurse, Associate School Nurse, School Psychologist, Educational Speech Language Pathologist, School Counselor, Career and Technical Education School Counseling Coordinator, School Social Worker, Junior ROTC Instructor, or Driver and Traffic Safety Education endorsements shall be issued.

5370 Teaching Intern License

- 5371 The Standards Board, or its designee, shall issue a two-year Teaching Intern License with an endorsement to an individual who is enrolled in an alternate route to licensure program which has been approved by the Standards Board in accordance with Section 5332 of these rules.

5380 Substitute Educators

- 5381 Qualifications

Each local school board shall adopt a policy establishing employment qualifications for persons who substitute for educators in their absence. Each policy shall require at minimum that the substitute has graduated from high school.

- 5382 Time Limits and Extensions

An unlicensed person employed as a substitute pursuant to local school board policy may substitute for up to thirty (30) consecutive calendar days in the same assignment. In order to continue to employ the unlicensed person in this assignment beyond thirty (30) days, the superintendent shall apply for an Emergency or Provisional License for the person pursuant to Sections 5350 and 5360 of these rules.

Licensed educators may substitute in a field outside of their endorsement field for thirty (30) consecutive calendar days in the same assignment. Upon application by the superintendent, the Standards Board or its designee may grant one extension for an additional thirty (30) days. In order to continue to employ a licensed educator beyond sixty (60) days outside of his/her endorsement field, the superintendent shall apply for a Provisional License for the person pursuant to Section 5350 of these rules.

5400 ISSUANCE OF LICENSE AND ENDORSEMENT

The issuance of a license authorizes the holder to practice as an educator in the endorsement fields(s) and grade level(s) specified.

Each license issued shall indicate the type of license, and the endorsement(s) and grade level(s) for which the license is valid.

5405 Apprenticeship License - Career and Technical Educators

The Standards Board, or its designee, shall issue a three (3) year Apprenticeship License to individuals seeking licensure as career and technical educators with Career and Technical Education endorsements who do not meet the requirements for a Level I License under sections 5232-5235 of these rules and who are enrolled in the Career and Technical Education Mentor Program as specified in 5340. The educator examination requirements of Sections 5240 through 5247 of these rules shall not apply to applicants for Apprenticeship Licenses.

5410 Level I Professional Educator's License

5411 A Level I Professional Educator's License shall be issued to an applicant who has satisfactorily met all requirements for licensure in Sections 5230 through 5247 through one of the processes in Section 5300 or met the requirements for an additional endorsement in Section 5443 of these rules.

5412 A Level I License is valid for three (3) years, shall expire on June 30 of the third school year for which it was issued, and may be renewed subject to the provisions of Section 5430 of these rules.

5413 A Level II License may not revert back to a Level I License after it has been moved to a Level II License.

5420 Level II Professional Educator's License

A Level II License is valid for seven (7) years, shall expire on June 30 of the seventh school year for which it was issued, and may be renewed subject to the provisions of Section 5430 of these rules.

5421 A Level II Professional Educator's License shall be issued, upon recommendation of a local or regional standards board, or the Office if the educator is not employed by an entity served by a local or regional standards board, to educators who have:

- A. practiced in Vermont in an endorsement area for three (3) years under a Level I License
- B. provided evidence of three (3) relicensing credits, at least one (1) of which shall address the specific knowledge and performance standards of the endorsement being moved to Level II.
- C. submitted an approved Individual Professional Development Plan (IPDP) that was developed through analysis of professional practice and classroom data, and that articulates the educator's professional development goals for the ensuing licensure period. The IPDP goals shall address the knowledge and performance standards in effect at the time of renewal for each endorsement being moved to Level II, each of the *Five Standards for Vermont Educators*, and the action plan or improvement initiatives of the school where the educator is employed, as appropriate;
- D. provided verification from an administrator who has supervised the educator's work that the educator is performing at a professional level. The Office shall provide a signature form for administrators to use for this purpose;
- E. provided documentation of any valid licenses or credentials that are required by the endorsement(s) sought.

5422 Educators who hold both a current Level I License and a current Level II License, and have Level I endorsement(s) being recommended for a Level II License, shall have the endorsement(s) issued on their current Level II License.

The expiration date of the additional Level II endorsement(s) shall be the expiration date of the current Level II License.

- 5423 Applicants for licensure through interstate reciprocity may be eligible for an endorsement on a Level II License upon presenting evidence of a minimum of three (3) years of at least half-time employment experience as a professionally licensed educator in the endorsement area for which an endorsement is sought.

5424 Retired Educator License

A person who has a minimum of fifteen (15) years of experience as a licensed educator, who has withdrawn from active service, and who is receiving a retirement allowance from his/her service as an educator, shall qualify for a seven-year retired educator's license upon application to the Office. An initial Retired Educator License may only be issued to an educator who has completed three (3) professional development credits within the three (3) years preceding application for the Retired Educator License in each endorsement to be moved to the Retired Educator License, and may only be issued for Level II endorsements held by the educator at the time of application.

Level II License holders employed as educators in a Vermont entity served by a local or regional standards board shall have the professional development credits approved by the board. A Level II License holder who is not employed by a Vermont entity served by a local or regional standards board at the time of application shall present their professional development credits directly to the Office for approval. A new IPDP or relicensure portfolio will not be required when moving from a Level II License to a Retired Educator License.

The Retired Educator License may be renewed for each additional seven (7) year period if the educator presents documentation showing completion of three (3) professional development credits within the preceding three (3) years in each endorsement area to be renewed.

5430 License Renewal and Reinstatement

A license and endorsement(s) shall be renewed or reinstated in the name of the Standards Board as set forth in Sections 5431 through 5435 of these rules. When an endorsement requires an additional license or credential, a copy of the valid document shall be provided by the educator at the time of renewal or reinstatement.

5431 Level I License Renewal

5431.1 Educators Who Have Worked In Vermont Under the Level I Endorsement for Three (3) Years

5431.1.1 Level I endorsement holders who have practiced in an endorsement area for three (3) years shall seek a recommendation from their local or regional standards board, or from the Office if the educator is employed by an entity not served by a local or regional board, for a Level II endorsement pursuant to section 5421 of these rules.

5431.1.2 An educator who does not receive a recommendation to move his/her Level I endorsement to a Level II license upon initial application, shall renew the Level I endorsement for three (3) years and re-apply to move the endorsement to a Level II license prior to the expiration of the renewal.

5431.1.3 The Level I endorsement of an educator who does not receive a recommendation to move the endorsement to a Level II license after the second application shall become lapsed and may not be reinstated.

5431.2 Educators Who Have Not Worked in Vermont under the Level I Endorsement for Three (3) Years

5431.2.1 Level I license holders who have not practiced in a particular endorsement area for three (3) years, shall seek a recommendation for renewal of that Level I endorsement through their local or regional standards board or from the Office if the educator is employed by an entity not served by a local or regional board.

5431.2.2 To receive a three (3) year renewal of a Level I endorsement under which the educator has not practiced for three (3) years, the educator shall show professional growth through completion of a minimum of three (3) relicensing credits in the endorsement area. At least one (1) of these credits shall address the specific knowledge and performance standards of the endorsement being renewed.

5431.2.3 The holder of a Level I endorsement that has been renewed shall continue to seek renewal of that endorsement in accord with Rule 5431.1 until such time as the educator qualifies to apply for renewal of the endorsement as a Level II endorsement.

5432 Level II License Renewal

- A. Level II license holders shall seek a recommendation for renewal of their Level II license and endorsement(s) from their local or regional standards board or from the Office if the educator is employed by an entity not served by a local or regional board.
- B. A Level II license holder employed by a Vermont independent school shall seek a recommendation for renewal from a local standards board designated by the Standards Board to serve independent schools, or may seek a recommendation for renewal from the local standards board for the school district in which the independent school is located if that board agrees to serve that independent school or educator.
- C. The local or regional standards board or the Office shall recommend renewal of a Level II endorsement if the applicant presents a professional portfolio that includes:
 - 1. the current Individual Professional Development Plan (IPDP);
 - 2. documentation of professional growth pursuant to the IPDP goals including:
 - A. reflection upon new learning and its impact upon professional practice;
 - B. reflection upon how changes in professional practice have impacted student performance;
 - C. linkages between individual professional development goals and activities, and school action plans or improvement initiatives, as appropriate;
 - D. demonstration of growth in each of the *Five Standards for Vermont Educators* which are in effect at the time the IPDP is approved or amended; and
 - E. documentation of a minimum of nine (9) relicensing credits per endorsement recommended for renewal. Relicensure credits should be related to the educator's IPDP goals. Certain professional development activities may apply to more than one

endorsement. However, at least three (3) relicensing credits must address the specific knowledge and performance standards of each endorsement recommended for renewal. In accordance with Standards Board policy, the local or regional standards board or the Office will determine the applicability of professional development activities and grant approval for relicensing credits based upon a presentation by the license holder of the rationale for applying certain credits and activities to particular endorsement areas and IPDP goals.

3. evidence of any required additional licenses or credentials specific to a particular endorsement.
 4. an approved IPDP that is developed through analysis of professional practice and classroom data, and that articulates the educator's professional development goals for the ensuing licensure period. The IPDP goals shall address the knowledge and performance standards in effect at the time the endorsements are renewed, each of the *Five Standards for Vermont Educators*, and the action plan or improvement initiatives of the school where the educator is employed, as appropriate.
 5. A portfolio submitted by an educator for National Board Certification shall be considered as equivalent to a relicensure portfolio for renewing the comparable endorsement.
- D. Upon employment in a Vermont educational entity that has an approved local or regional standards board, the educator shall develop and file an approved IPDP within six months of employment with the appropriate local or regional standards board.
- E. Approved IPDPs and approved corresponding professional development activities shall be accepted on a reciprocal basis by local and regional standards boards and by the Office when the educator is not under the jurisdiction of a local or regional standards board.

5435 Reinstatement of Lapsed Licenses or Endorsements

- 5435.1 After a professional license, or endorsement lapses, an applicant who wishes the license and/or endorsement to be reinstated shall provide, in accordance with Standards Board policy, evidence of professional growth equivalent to that which would have been required for the maintenance of each license and/or endorsement under current rules, including the IPDP and/or professional portfolio, if required, and provide copies of valid additional licenses or credentials, that are required for the specific endorsement.
- 5435.2 If the applicant who wishes to reinstate a lapsed endorsement is served by a local or regional standards board, the board shall evaluate, and approve, as appropriate, the professional development activities, the IPDP and/or professional portfolio of the applicant. The applicant must then submit documentation of this approval to the Office who will review and approve, as appropriate, the application for reinstatement. If an applicant is not under the jurisdiction of a local or regional standards board, the applicant shall apply for reinstatement directly to the Office, including submission for approval of documentation of professional development activities, and the IPDP and/or professional portfolio, if required.
- 5435.3 The local or regional standards board and the Office shall apply the same standards with regard to individual plans for professional development and approval of credits for reinstatement as they apply to license renewals.

5435.4 Nine (9) relicensing credits within the last seven (7) years shall be required for reinstatement of a lapsed Level II License. Three (3) relicensing credits within the last three years shall be required for reinstatement of a lapsed Level I License and a lapsed Retired Educator License.

5435.5 Licenses issued under previous rules shall be reinstated at the equivalent level of licensure when all requirements for reinstatement are met.

If the applicant was eligible to move a Level I endorsement to a Level II License at the time the license lapsed, then the license will be reinstated for one year as a Level I, and the applicant will have to apply to move the endorsement to a Level II License before expiration of the reinstated Level I License.

5435.6 Reinstatement of a revoked or suspended license and/or endorsement is also subject to provisions in Section 5700 of these rules.

5436 Audiologists and Speech Language Pathologists

5436.1 Definitions: Terms defined in 26 V.S.A. § 4451 shall have the same meaning when used in Rules 5436 through 5436.6.

5436.2 General Requirements for All Applicants for Professional Audiology or Speech Language Pathologist License.

A. Applicants for Audiology or Speech Language Pathology licenses shall submit an application to the Office of Licensing and Professional Standards along with payment of the specified fee and evidence of the following qualifications:

1. A masters degree or doctoral degree in audiology or speech language pathology from an educational institution approved by the American Speech Language-Hearing Association (ASHA) or the American Board of Audiology (ABA);
2. Completion of a period of post-graduate professional training, the length and content of which shall comply with standards established by ASHA or ABA; and
3. Passing scores on the Praxis II examination or other examination in audiology or speech language pathology selected by the State Board pursuant to Rules 5240et seq.

B. Applicants who qualify for a current Certificate of Clinical Competence from ASHA or for board certification in Audiology from ABA shall be deemed to have met the above requirements.

5436.3 General Requirements for All Applicants for Provisional Audiology or Speech Language Pathologist License.

A. Provisional licenses in audiology and speech language pathology are intended for recent graduates of speech-language pathology or audiology programs who are completing the Clinical Fellowship Year requirement for professional licensure.

B. Applicants for Audiology or Speech Language Pathology provisional licenses shall submit an application to the Office of Licensing and Professional Standards along with payment of the specified fee and evidence of the following qualifications:

1. A masters degree or doctoral degree in audiology or speech language pathology from an educational institution approved by ASHA or ABA;
2. Passing scores on the Praxis II examination or other examination in audiology or speech language pathology selected by the State Board pursuant to Rules 5240 et seq.

C. Provisional licenses shall be granted for a period of two years and are non-renewable.

5436.4 Waiver for Applicants in Private Practice

A. "Private practice" means any work performed by a licensed speech-language pathologist or audiologist that is not within the jurisdiction of the state board of education under its authority set forth in 16 V.S.A. section 164.

B. The Office of Licensing and Professional Standards shall waive the requirements of subsections 1 through 3 of Rule 5436.2 (a) for applicants who were engaged in private practice on July 1, 2003. Evidence submitted to qualify for waivers under this section shall be submitted on or before October 1, 2004, and shall be accompanied by a completed application for licensure as an audiologist or speech language pathologist.

C. Waivers under this section shall be granted to applicants who present proof of:

1. Employment as an audiologist or speech language pathologist on July 1, 2003, and
2. Passing scores on the examination required by Rule 5436.2 (a)(3).

D. Proof of employment under this section shall include a notarized affidavit signed by the practitioner attesting in detail as to the location and nature of the applicant's private practice. Falsification of any statement in the affidavit or application shall constitute unprofessional conduct and shall be grounds for withdrawal of a waiver, denial of a license application and/or license revocation pursuant to 3 V.S.A. 129a (a)(1).

E. Waivers granted under this section shall expire on July 1, 2008. After July 1, 2008, holders of waivers under this section shall be granted licenses upon meeting the requirements of Section 5436.2.

5436.5 Renewal of Professional Audiology or Speech Language Pathology Licenses.

A. Audiology and Speech Language Pathology licenses shall be issued for an initial period of three years, and shall be renewed for three-year periods thereafter.

B. Renewal shall be granted to applicants who show qualifications sufficient to maintain certification by ASHA in speech-language pathology or audiology or by ABA in audiology. The Office of Licensing and Professional Standards may consult with advisors appointed pursuant to 26 V.S.A. § 4455 when determining whether an applicant's qualifications are sufficient under this section.

5436.6 Requirements for All New Applicants for Educational Speech Language Pathologist Endorsements.

A. Educational Speech Language Pathologist endorsements (Rule 5445.84) shall be granted to holders of speech language pathologist licenses who:

1. demonstrate the educational speech language pathologist endorsement competencies established by the VSBPE and the State Board of Education, and
2. submit passing scores on the Praxis I examination or other skills examination selected by the State Board under Rule 5241.

B. Except as otherwise provided in Section 5436.7, renewal of Educational Speech Language Pathologist endorsements shall be granted to applicants provided that at least one half of the renewal credits submitted are related to the knowledge and performance standards of the educational endorsement.

5436.7 Requirements for Applicants Who Held Speech Language Pathologist Endorsements on July 1, 2003.

- A. Applicants who held a speech language pathologist endorsement on July 1, 2003 shall be granted renewal of that endorsement through July 1, 2008 upon completion of the renewal requirements in Sections 5431 through 5435 of these rules.
- B. Applicants who held a speech language pathologist endorsement on July 1, 2003 shall complete the requirements of subsections 1 through 3 of Rule 5436.2 (a) as a condition of renewal on or after July 1, 2008. However, those speech language pathologists who, as of July 1, 2003, had been practicing for five or more years under a VT educator licensure as a speech language pathologist shall not be required to meet the Clinical Fellowship Year Requirement [5436.2 (a) (2)].

5436.8 Requirements for Individuals Who Hold Professional Licensure as Audiologists or Speech Language Pathologists in Other States and Wish to Work in Vermont.

- A. Individuals providing audiology or speech language pathology services in Vermont must be licensed in Vermont regardless of the duration of their service.
- B. Individuals licensed as professional audiologists or speech language pathologists in other states will be granted Vermont licenses, upon payment of the appropriate fees, provided they have no disciplinary actions against them and they were licensed under standards that are substantially similar to Vermont's. The Office of Licensing and Professional Standards shall consult with advisors appointed pursuant to 26 V.S.A. §4455 when determining whether the licensure standards of another state are substantially similar.
- C. 26 V.S.A. section §4463 requires licensees in private practice to maintain a Vermont business address. For the purposes of these rules, a Vermont business address shall be defined as the individual's place of employment.

5436.9 Disclosure of Prices

- A. A licensee in private practice must disclose in a clear and conspicuous manner the range of prices charged for goods and services. For dispensers of hearing aids, the disclosure shall include the range of prices for each product category sold from the least expensive to the most expensive.

5440 Endorsements

5441 In order to be valid, each professional educator's license shall have one or more endorsements. Each license shall have a code(s) as specified in Section 5445 that indicates the endorsement field(s) and/or grade level(s) in which the holder is authorized to practice.

5442 Limited Endorsements

Endorsements limited in time, grade level, or scope may be issued by the Standards Board based on the applicant's background and experience. These endorsements shall permit practice in a specialized area within a broader endorsement field or restrict assignment to specific grade levels or to a specific period of time.

5443 Additional Endorsements

5443.1 The holder of any license who wishes to qualify for an additional endorsement via transcript review shall present evidence of meeting the knowledge and performance standards and additional requirements, if any, of the endorsement. A minimum of eighteen (18) credit hours in the endorsement field is required. Only coursework for which the applicant received a grade of "C" or better may be counted toward the requirements for any additional endorsement.

5443.2 Additional endorsement(s) granted via Peer Review or transcript review shall be granted as Level I License endorsements. Additional endorsements for which an applicant is eligible under interstate reciprocity shall be granted as Level I or Level II endorsements as outlined in Sections 5320 and 5423.

5444 Endorsement Standards

The Standards Board shall establish and amend as needed the standards necessary to obtain an endorsement in a specific field of practice.

5445 Endorsements for Vermont Educators

Endorsements may be obtained in the following areas. For the purposes of these rules, the number preceding each endorsement title shall be the code for that endorsement.

Administrator Endorsements

(20) Assistant Director for Adult Education

The holder is authorized to design, implement, and administer educational and employment and training programs for adults in Vermont secondary schools and career and technical centers.

(92) Career and Technical Center Director

The holder is authorized to serve as director of a career and technical center. An educator serving as Assistant Career and Technical Center Director, however named, shall hold a Career and Technical Center Director endorsement.

(86) Director of Special Education

The holder is authorized to provide, administer, supervise, and evaluate special education programs and services, and to coordinate them with regular education programs, home-based services, and community-based services for students with disabilities. An educator serving as an Assistant Director of Special Education, however named, shall hold a Director of Special Education endorsement.

(91) Principal

The holder is authorized to serve as a school principal. An educator serving as an Assistant Principal, however named, shall hold a Principal endorsement.

(90) Superintendent

The holder is authorized to serve as the chief executive officer of a school district. An educator serving as an Assistant Superintendent, however named, shall hold a Superintendent endorsement.

(75) Supervisor

The holder is authorized to supervise and evaluate instructional personnel and/or programs within the supervisor's specific area(s) of expertise.

Teacher Endorsements

(02) Art

The holder is authorized to teach art in grades PK-6, 7-12, or PK-12, as specified on the endorsement.

(39) Bilingual Education

The holder is authorized to teach students who are English Language Learners (ELL) and/or native speakers of English, in a language other than English, as well as in English. This endorsement is an add-on endorsement only and is limited to holders of endorsements in early childhood, elementary education, middle grades, special education, English as a Second Language, science, social studies, mathematics, or English language arts. The holder's language(s) of concentration and instructional level shall be indicated on the endorsement.

(03) Business Education

The holder is authorized to teach business education in grades 5-12 in middle and high schools.

(17) Career and Technical Education

The holder is authorized to teach one or more career cluster area courses of study in a career and technical center in grades 9-12 as specified on the endorsement.

(73) Career and Technical Education School Counseling Coordinator

The holder is authorized to coordinate and provide career and technical education school counseling services in grades 9-12.

(60) Cooperative Career and Technical Education Coordinator

The holder is authorized to establish and coordinate experiential learning opportunities between industry and other community employers and secondary institutions in order to reinforce a student's program of study, career interests, and goals.

(14) Computer Science

The holder is authorized to teach computer science in grades 7-12.

(38) Dance

The holder is authorized to teach dance in grades PK-12.

(10) Design and Technology Education

The holder is authorized to teach design and technology education in grades 5-12 in middle and high schools.

(30) Driver and Traffic Safety Education

The holder is authorized to teach driver and traffic safety education in grades 9-12.

(36) Early Childhood Education

The holder is authorized to teach young children birth through age 6, grades K through three, or birth through grade three, as specified on the endorsement.

(42) Educational Technology Specialist

The holder is authorized to plan and implement instruction and evaluate student learning in the use and integration of educational technologies in grades PK-12.

(00) Elementary Education

The holder is authorized to teach grades K-6.

(05) English

The holder is authorized to teach English language arts in grades 7-12.

(40) English as a Second Language

The holder is authorized to provide instruction in English language development to English Language Learners (ELLs) and to support the learning of ELL students in all content areas through collaboration with teachers, administrators, and parents. The holder is authorized to teach grades PK-6, 7-12, or PK-12, as specified on the endorsement.

(09) Family and Consumer Sciences

The holder is authorized to teach family and consumer sciences in grades 5-12 in middle and high schools.

(31) Health Education

The holder is authorized to teach health education in grades PK-6, 7-12, or PK-12, as specified on the endorsement.

(16) Junior ROTC Instructor

The holder is authorized to provide junior Reserve Officer Training Corps instruction to students in grades 9-12 who are enrolled in junior ROTC programs.

(61) Library Media Specialist

The holder is authorized to provide library media services and instruction in grades PK-12.

(11) Mathematics

The holder is authorized to teach mathematics in grades 7-12.

(19) Middle Grades

The holder is authorized to teach one or more of the following content areas—English Language Arts, Mathematics, Science, Social Studies--in grades 5-9, as specified on the endorsement.

(06) Modern and Classical Languages

The holder is authorized to teach a modern (including American Sign Language) and/or classical language(s) in grades PK-6, 7-12, or PK-12, as specified on the endorsement.

(12) Music

The holder is authorized to teach music in grades PK-6, 7-12, or PK-12, as specified on the endorsement.

(08) Physical Education

The holder is authorized to teach physical education in grades PK-6, 7-12, or PK-12, as specified on the endorsement.

(78) Reading/English Language Arts Coordinator

The holder is authorized to provide leadership in the implementation of reading instruction and assessment practices that are informed by research, including coordination and management of all aspects of the school's or district's reading program and guidance of professional development in the area of reading, in order to help all students achieve standards. This endorsement is limited to those who hold or are eligible to hold the Reading/English Language Arts Specialist endorsement.

(76) Reading/English Language Arts Specialist

The holder is authorized to function as a school-wide resource to support teachers to implement reading instruction and assessment practices that are informed by research, and to provide instruction in reading to students in grades PK-12. This endorsement is limited to those who hold or who are eligible to hold endorsements in early childhood, elementary education, middle grades, the secondary content areas, special education, or English as a Second Language.

(64) School Counselor

The holder is authorized to provide school counseling services in grades PK-12.

(65) School Nurse

The holder is authorized to provide school health services in grades PK-12 and to collaborate with teachers and administrators to integrate health and wellness knowledge and skills throughout the school and curriculum.

(65A) Associate School Nurse

The holder is authorized to provide school health services in grades PK-12.

(66) School Psychologist

The holder is authorized to provide school psychological services in grades PK-12.

(54) School Social Worker

The holder is authorized to provide school social work services to students and their families in grades PK-12.

(13) Science

The holder is authorized to teach science in grades 7-12.

(15) Social Studies

The holder is authorized to teach history and the social sciences in grades 7-12.

(37) Theater Arts

The holder is authorized to teach theater arts in grades PK-12.

Special Education Endorsements

(87) Career and Technical Education Special Needs Coordinator

The holder is authorized to coordinate educational support services for students on educational plans (e.g., IEPs, 504 Plans, 157 Plans) with the sending schools, to provide academic support services, to conduct basic academic skill assessments, and to determine appropriate placements in Career and Technical Education programs for individuals in grade 8 through adulthood who are or will be enrolled in Career and Technical Education programs.

(85) Consulting Teacher

The holder is authorized to provide comprehensive special education services, in any public education setting, to students in grades K-8 and/or grade 7 through age 21, as specified on the endorsement, and to provide leadership in the implementation of best practices in special education. The holder may provide instruction to students who are visually impaired, or Deaf, or who have intensive special needs, as those terms are defined in federal regulations pertaining to special education eligibility, in consultation with a Teacher of the Blind and Visually Impaired, Teacher of the Deaf and Hard of Hearing, or Intensive Special Education Teacher.

(80) Early Childhood Special Educator

The holder is authorized to provide early education and early intervention services, including service coordination, case management and comprehensive evaluation services, to children from birth through age 6.

(84) Educational Speech Language Pathologist

The holder is authorized to provide speech and language services, including case management and comprehensive evaluation services, to individuals age 3 through 21. (*Requires the clinical SLP License.*)

(81) Intensive Special Education Teacher

The holder is authorized to provide comprehensive special education services, in any public education setting, to individuals age 3 through 21 with intensive special needs, as defined in federal regulations pertaining to special education eligibility. The holder is authorized to provide or oversee the provision of instructional services and to collaborate with an interdisciplinary team to design, implement, and evaluate educational plans and accommodations for individuals with intensive special needs.

(82) Special Educator

The holder is authorized to provide specialized instruction and intervention services, including case management, in any public education setting, to students in grades K-8 and/or grade 7 through age 21, as specified on the endorsement. The holder may also provide comprehensive evaluation and Individual Education Plan (IEP) development services with professional and technical assistance from a Consulting Teacher or Director of Special Education. The holder may provide instruction to students who are visually impaired, Deaf, or who have intensive special needs, as those terms are defined in federal regulations pertaining to special education eligibility, in consultation with a Teacher of the Blind and Visually Impaired, Teacher of the Deaf and Hard of Hearing, or Intensive Special Education Teacher.

(67) Teacher of the Blind and Visually Impaired

The holder is authorized to provide comprehensive special education services, in any public education setting, to individuals age 3 through 21 who are blind or visually impaired as defined in federal regulations pertaining to special education eligibility. The holder is authorized to provide or oversee the provision of instructional services and to collaborate with an interdisciplinary team to design, implement, and evaluate educational plans and accommodations for individuals with visual impairments.

(68) Teacher of the Deaf and Hard of Hearing

The holder is authorized to provide comprehensive special education services, in any public education setting, to individuals age 3 through 21 who are Deaf or hard of hearing as defined in federal regulations pertaining to special education eligibility. The holder is authorized to provide or oversee the provision of instructional services, and to collaborate with an interdisciplinary team to design, implement, and evaluate educational plans and accommodations for individuals who are Deaf or hard of hearing.

5500 CODE OF PROFESSIONAL ETHICS AND RULES OF PROFESSIONAL CONDUCT FOR VERMONT EDUCATORS

5510 Code of Professional Ethics

The essential qualities of the competent and caring educator include moral integrity, humane attitudes, reflective practice, and a sound understanding of academic content and pedagogy. The public vests educators with trust and responsibility for educating the children of Vermont. We believe that fulfilling this charge requires educators to demonstrate the highest standards of professional conduct.

We, as professional educators, respect the dignity and individuality of every human being. We are committed to, and model for our students, the lifelong pursuit of learning and academic excellence.

We are dedicated to effective scholarly practice, further enhanced by collaboration with colleagues and with those in the greater educational community. Furthermore, we are dedicated to

compassionate service on behalf of our students and their families, and we advocate for them in the school and community settings.

We recognize and accept both the public trust and the magnitude of responsibility inherent in our profession. To this end, we put forth these rules of conduct as the foundation for professional practice for all Vermont educators to honor and follow.

5520 Rules of Professional Conduct

What follows is a statement of fundamental principles which all Vermont educators should follow, each of which is accompanied by an enumeration of examples of unprofessional conduct which could subject an educator to licensing action.

5521 Principle I. A professional educator abides by all federal, state and local laws and regulations. Unprofessional conduct includes all conduct listed in 16 V.S.A. § 1698(1).

5522 Principle II. A professional educator maintains a professional relationship with all students, both inside and outside the classroom, and makes reasonable efforts to protect students from conditions which are harmful to their health and safety. Unprofessional conduct includes, but is not limited to:

- A. Committing any act of child abuse, including physical and/or emotional abuse;
- B. Committing any act of cruelty to children, or any act of child endangerment;
- C. Committing any sexual act with, or soliciting any sexual act from, any minor, or any elementary or secondary student regardless of age;
- D. Committing any act of harassment as defined by state or federal law or regulation;
- E. Soliciting, encouraging or participating in a romantic or sexual relationship (whether written, verbal or physical) with a student, the educator knows or should know is a student, in the absence of countervailing facts;
- F. Using patently offensive language including, but not limited to, improper sexual comments;
- G. Taking patently offensive pictures (digital, photographic or video) of students;
- H. Patently improper contact with any minor, or with any elementary or secondary student regardless of age, using any means including electronic media;
- I. Furnishing alcohol or illegal or unauthorized drugs to any student, or allowing or encouraging a student to consume alcohol or illegal or unauthorized drugs.

5523 Principle III. A professional educator refrains during the course of professional practice from the use of alcohol or drugs not prescribed for the educator's use. Unprofessional conduct includes, but is not limited to:

- A. Unlawful possession of a drug so as to evidence moral unfitness to practice as an educator;
- B. Possessing, using or being under the influence of alcohol or drugs, not prescribed for the educator's use, when on school premises or at a school sponsored activity where students are present or may reasonably be expected to be present. (1698(1A)).

5524 Principle IV. A professional educator exemplifies honesty and integrity in the course of professional practice. Unprofessional conduct includes, but is not limited to:

- A. Falsifying, fraudulently altering or deliberately misrepresenting professional qualifications, degrees, academic awards and/or related employment history, when applying for employment and/or licensure;

- B. Failure to notify the state, at the time of application for licensure, of past criminal convictions, or of revocations or suspensions of a certificate or license by Vermont or any other jurisdiction;
 - C. Deliberately falsifying, deliberately misrepresenting, or deliberately omitting when requested, information regarding the evaluation of students and/or personnel;
 - D. Deliberately improper administration of state or federal mandated standardized tests (including, without limitation, changing a student's test answers, copying or teaching identified test items, and reading a test to students without authorization);
 - E. Falsifying, or deliberately misrepresenting, information submitted to the Department of Education in the course of an official educational inquiry and/or investigation.
- 5525 Principle V. A professional educator entrusted with public funds and/or property honors that trust with a high level of honesty, accuracy and responsibility. Unprofessional conduct includes, but is not limited to:
- A. Misusing, failure to account for, or unauthorized use of, public or school-related funds or property;
 - B. Using any school equipment for the purpose of gaining access to pornography.
- 5526 Principle VI. A professional educator maintains integrity with students, colleagues, parents, and others regarding gifts and other favors. Unprofessional conduct includes, but is not limited to:
- A. Soliciting or accepting gifts or other favors for personal use or gain where there may be an actual or apparent conflict of interest.
- 5527 Principle VII. A professional educator complies with state and federal laws and regulations, relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law. Unprofessional conduct includes, but is not limited to:
- A. Sharing of confidential information concerning student academic or disciplinary records, health and medical information, family status and/or income, and assessment/testing results, with unauthorized individuals or entities;
 - B. Sharing of confidential information by an administrator about employees with unauthorized individuals or entities.
- 5528 Principle VIII. A professional educator fulfills all of his or her obligations to students. Unprofessional conduct includes, but is not limited to, the failure to provide appropriate supervision of students at school or school-sponsored activities, or the failure to ensure the safety and well-being of students.
- 5529 Principle IX. A professional educator complies with obligations to report alleged unprofessional conduct. Unprofessional conduct of an administrator includes, but is not limited to:
- A. The failure of a superintendent who has reasonable cause to believe an educator has engaged in unprofessional conduct to submit a written report to the commissioner;
 - B. The failure of a principal who submits to the commissioner a report of alleged unprofessional conduct to submit it to his or her superintendent as well.
- 5530 Principle X. A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, and in professional rights and responsibilities. Unprofessional conduct includes, but is not limited to:

- A. Conduct that unreasonably impairs a colleague's ability to teach or perform his or her professional duties, including acts of harassment or interfering with the free participation of colleagues in professional associations;
- B. Taking, sharing or disseminating inappropriate pictures (digital, photographic or video) of colleagues.

Application Notes.

1. The foregoing Code of Professional Ethics is adopted in accordance with 16 V.S.A. § 1694(5).
2. Nothing in these Rules can, or is intended to, vary the definition of "unprofessional conduct" which is contained in 16 V.S.A. § 1698. Rather, these Rules enumerate a non-exclusive list of conduct which, if proven in a particular case, might constitute unprofessional conduct.

5600 ADMINISTRATIVE BODIES

5610 The Vermont Standards Board for Professional Educators (Standards Board)

5610.1 Employment Status Change

A member whose employment status changes during his or her term on the board shall remain on the Standards Board for the duration of the term for which he or she was appointed.

5610.2 Committees

There shall be two permanent standing committees:

A. Teacher and Administrator Relicensing

The principal duty of this committee is to oversee the operation of the local and regional standards boards and the relicensing process. A majority of this committee shall be teachers.

B. Higher Education

The principal duty of this committee is to oversee the Program Approval Process for educator preparation programs. The process shall include assigning appropriate members to review teams, training members of the review teams, and assisting the Standards Board in reviewing the findings of the review teams.

5610.3 Allowable Expenses

Standards Board members shall be eligible for reimbursement by the Vermont Department of Education for allowable expenses as defined by 32 VSA §1010. Institutions which employ educator members shall be reimbursed for the cost of substitutes.

Members of the Standards Board shall receive a per diem in addition to their expenses.

5610.4 Policy Agenda and Annual Report

The Standards Board may develop an annual policy agenda in consultation with the Commissioner and the State Board of Education which includes ongoing work and new issues for study.

The Standards Board may submit an annual report to the Commissioner and the State Board of Education.

5610.5 Duties

The duties of the Standards Board, in addition to those duties specified in 16 V.S.A. Chapter 51 includes:

1. defining high quality, practical professional development that includes, but is not limited to, linking school practitioners and higher education;
2. examining issues in educator preparation, licensure and relicensure;
3. developing relicensing policies and procedures for the Office and local and regional standards boards;
4. approving local and regional standards boards' plans of operation and amendments to the plans;
5. monitoring, promoting, and supporting the effective operations of the local and regional standards boards and local and regional relicensing procedures.

5620 Local Standards Board (LSB)

5621 Establishment and Maintenance

5621.1 A local standards board shall be established and maintained for each of the supervisory unions/districts and the Corrections Education Program.

5621.2 A supervisory union/district may form more than one local standards board or be part of a collaborative board with other supervisory union/districts. Such formations are subject to the approval of the Standards Board.

5621.3 Educational entities, other than supervisory union/districts, that employ licensed educators may establish a local standards board, or a collaborative board, subject to approval by the Standards Board. Such boards shall be subject to all conditions that apply to local standards boards in supervisory unions/districts.

5621.4 Each supervisory union/district, through its superintendent, shall be responsible for facilitating and supporting the local standards board development and operation.

5621.5 Educational entities other than supervisory unions/districts that choose to have a local standards board shall designate a person to be responsible for facilitating and supporting the development and operation of the board.

5622 Primary Purpose

A local standards board shall be established and maintained for the primary purpose of recommending teachers for relicensure. Such recommendations shall be based on an LSB-approved Individual Professional Development Plan (IPDP) and corresponding LSB-approved professional development activities, an LSB-approved professional portfolio, these rules , standards defined by the Standards Board, and procedures set forth in a local plan of operation that has been approved locally and by the Standards Board.

Current teachers who also hold administrator endorsements shall renew those endorsements through the local standards board.

5623 Membership

Membership of the LSB shall be composed of not less than five licensed educators. At least a majority of the membership shall be licensed teachers selected by licensed teachers.

5624 Plan of Operation

5624.1 Each local standards board shall develop its own plan for operation according to guidelines, policies and procedures established by the Standards Board.

5624.2 The plan of operation shall indicate that an annual report will be submitted to the Standards Board on or before a date to be determined by the Standards Board.

5624.3 The plan of operation shall be subject to approval by the Standards Board.

5624.4 The plan of operation may be amended according to procedures defined in said plan. All amendments shall be subject to approval by the Standards Board.

5625 Reciprocity

Approved Individual Professional Development Plans (IPDPs) and corresponding approved professional development activities have reciprocity with local standards boards throughout the state and with the Office when the educator is not under the jurisdiction of a local standards board.

5626 Transfers

5626.1 Educators transferring from one Vermont supervisory union/district, or other educational entity with a local standards board, to another shall be responsible for transferring their IPDPs and corresponding professional development records to the new local or regional standards board within six (6) months of employment.

5626.2 Educators transferring from out-of-state or from an educational entity not served by a local standards board shall file an approved IPDP with the appropriate local standards board within six (6) months of employment.

5626.3 Educators reentering the profession shall file an approved IPDP with the appropriate local standards board within six (6) months of employment.

5627 Volunteer Service

For the purposes of 1 V.S.A. §310(3), a local standards board is an administrative body and is not a board, council or commission, nor a committee or subcommittee of a board, council or commission of a political subdivision of the state. Further, for the purposes of 3 V.S.A. §1101(b)(4), a member of a local standards board is a volunteer for the Standards Board and provides services at the request of and under the direction and control of the Standards Board.

5630 Regional Standards Board (RSB)

5631 Establishment and Maintenance

A regional standards board shall be established and maintained in each of the five (5) regions in the state. Unless otherwise determined by the Standards Board, the five regions shall be those that correspond to the existing Superintendent regions.

Supervisory union/districts in each region, through their superintendents, shall be responsible for facilitating and supporting the regional standards board development and operation.

5632 Primary Purpose

A regional standards board shall be established and maintained for the primary purpose of recommending administrators for relicensure. Such recommendations shall be based on an RSB-approved Individual Professional Development Plan (IPDP) and corresponding RSB-approved professional development activities, a RSB-approved professional portfolio, these rules, standards defined by the Standards Board, and procedures set forth in a regional plan of operation that has been approved regionally and by the Standards Board.

Current administrators who also hold endorsements in fields other than administration shall renew those endorsements through the regional standards board.

5633 Determination of Administrator Status

For relicensing purposes an educator shall be considered an administrator and utilize the services of a regional standards board when the majority of his or her employed time in a school, school district, or supervisory union is devoted to direct responsibility for the evaluation and discipline of personnel, the development and management of the curriculum of the school, or supervision or internal management of a school system or school program. When a question arises as to the appropriate standards board to handle an educator relicensing request, the superintendent of schools in the educator's district shall make the determination.

5634 Membership

The membership of a regional standards board shall include a majority of licensed administrators.

5635 Plan of Operation

5635.1 Each regional board shall develop its own plan for operation according to guidelines, policies, and procedures established by the Standards Board.

5635.2 The plan of operation shall provide that an annual report will be submitted to the Standards Board on or before a date to be determined by the Standards Board.

5635.3 The plan of operation shall be subject to approval by the Standards Board.

5635.4 The plan of operation may be amended according to procedures defined in said plan. All amendments shall be subject to approval by the Standards Board.

5636 Reciprocity

Approved Individual Professional Development Plans (IPDPs) and corresponding approved professional development activities have reciprocity with regional standards boards throughout the state and with the Office when the educator is not under the jurisdiction of a regional standards board.

5637 Transfers

5637.1 Administrators transferring from one supervisory union/district, or other educational entity with a regional standards board, to another shall be responsible for transferring their IPDPs and corresponding professional development records to the new regional standards board within six (6) months of employment.

5637.2 Administrators transferring from out-of-state or from an educational entity not served by a regional standards board shall file an approved IPDP with the appropriate regional standards board within six (6) months of employment.

5637.3 Administrators reentering the profession shall file an approved IPDP with the appropriate regional standards board within six (6) months of employment.

5638 Volunteer Service

For the purposes of 1 V.S.A. §310(3), a regional standards board is an administrative body and is not a board, council or commission, nor a committee or subcommittee of a board, council or commission, of a political subdivision of the state. Further, for the purposes of 3 V.S.A. §1101(b)(4), a member of a regional standards board is a volunteer for the Standards Board and provides services at the request of and under the direction and control of the Standards Board.

5700 LICENSE SURRENDER, NEGOTIATED SETTLEMENT, REINSTATEMENT AFTER SUSPENSION OR REVOCATION, REPRIMANDS, AND POSTING OF LICENSING ACTIONS

5710 Requirements for Reinstatement/ Re-application after Suspension or Revocation

A. In addition to the requirements of Sections 5430 through 5435.6, a license or endorsement that has been suspended or revoked may be reinstated or reapplication granted if:

1. The period of the suspension has passed and any and all conditions that may have been placed on reinstatement/re-application have been satisfied.
2. The educator whose license has been revoked demonstrates, by clear and convincing evidence, that he/she has been rehabilitated.

B. A license or endorsement, including one that is limited in time, level or scope may be issued subject to terms deemed necessary for ensuring compliance with licensing requirements and professional standards if the license has been suspended or revoked.

5711 Negotiated Settlement

A negotiated settlement of a licensing action may be entered into between the educator and the Commissioner at any stage of the investigation or proceedings.

5712 Surrender of License

At any stage of investigation or proceedings, an educator may surrender a license or endorsement. A surrendered license or endorsement shall be considered to have the same force and effect as a revocation and any re-application or request for reinstatement shall be dealt with in accordance with Section 5710 of these rules.

5713 Private Reprimands

The existence of a private reprimand shall be public information within the meaning of 1 V.S.A. § 317 et seq. but the details of the reprimand itself shall not be subject to disclosure.

5714 Public Reprimands

The existence of a public reprimand shall be public information within the meaning of 1 V.S.A. § 317 et seq. and the details of the reprimand itself shall be subject to disclosure.

5715 Posting of Licensing Actions on Department Website

All suspensions and revocations shall be reported on the Department of Education website and shall include:

- A. Name of Licensee;
- B. Business address at time of action;
- C. School where incident occurred or where licensee was employed;
- D. License type / endorsement(s);
- E. Grounds;
- F. Disciplinary Action; and
- G. Date of Action.

5800 ADMINISTRATIVE PROVISIONS

5840 Access to License Records

Any person, who makes a request for information shall be informed of the license status of any individual subject to licensure. All other access to licensing records shall be in accordance with the provisions of 1 VSA §315-320 and 16 VSA §1708. Public records and documents, as that term is defined in 1 VSA §315, shall be made available to the public upon request unless the information is otherwise exempt from disclosure under 1 VSA § 317. This includes public records or documents relating to the final disposition of disciplinary complaints that result from the filing of disciplinary charges by the Commissioner. The suspension or revocation of a license shall be reported to the National Association of State Directors of Teacher Education and Certification after the period of time for appeal has expired except as provided otherwise. Access to licensing records by Department employees is limited to those with work-related needs.

5900 APPROVAL OF EDUCATOR PREPARATION PROGRAMS

5910 Approval Process Statement of Purpose

Approval by the Standards Board authorizes an institution with an educator preparation program to recommend a person who satisfactorily completes the approved program as eligible for licensure and/or endorsement.

The institution's recommendation of a candidate for licensure and/or additional endorsement shall be indicated by a statement on the candidate's transcript indicating that the candidate is being recommended for licensure and/or endorsement by the institution, and shall indicate the endorsement title, sub-endorsement title, if any, and grade levels of the recommendation.

5911 Approval includes evaluation of two distinct types of portfolios developed through guidelines adopted by the Standards Board:

5911.1 The institution shall prepare an Institutional Portfolio that is a program assessment and planning report, maintained by the institution, that documents the effectiveness of the institution's programs in preparing competent educators, and that also details plans for improvement and innovation in meeting current and evolving standards of best practice in educator preparation.

5911.2 An individual Level I Licensure Portfolio shall be maintained by each candidate seeking initial licensure and shall contain appropriate and sufficient documentation of the individual's competence and growth as a beginning educator, including documentation that the candidate meets all the requirements for initial licensure.

5912 Sections 5920-5950 of these rules govern the implementation of the program approval process. The Standards Board may adopt guidelines for further clarification of this process.

5920 Approval Criteria

5921 The institution must demonstrate that its administrative procedures for operating and maintaining approved programs ensure:

5921.1 consistency with licensing rules and consistency with the program approval granted by the Standards Board;

5921.2 that maintenance and transmittal of records are accurate and timely;

5921.3 notification to the Office, in advance, of any significant change affecting an approved program or administrative procedures.

5922 An educator preparation program shall be approved if all of the following criteria are met:

5922.1 The institution maintains an Institutional Portfolio and requires each candidate seeking initial licensure to maintain an individual Level I Licensure Portfolio.

5922.2 The institution's programs have an operational theme based on up-to-date research and best practices.

5922.3 The program clearly defines results expected of candidates that are consistent with its theme, the "*Five Standards for Vermont Educators: A Vision for Schooling*," and state requirements for licensure and endorsement.

5922.4 The institution establishes performance criteria for entrance to the program, entrance to student teaching and exit from the program.

5922.5 The institution maintains a student teaching program that meets the requirements of Section 5923 of these rules.

5922.6 Faculty and students know what competencies and other requirements are necessary for licensure and endorsement.

5922.7 The cooperating educators have sufficient orientation and are involved in planning and evaluation of field experiences.

5922.8 The institution, in order to continuously improve its programs, conducts follow-up studies of graduates and seeks the opinions of those who have hired recent graduates.

5922.9 The institution's program of studies ensures that all of the state's general licensure competencies, specific endorsement competencies, and other licensure requirements are covered for each candidate in the program, as appropriate.

5923 Student Teaching Requirements

5923.1 Definition

For the purposes of this rule, student teaching means a minimum of twelve (12) consecutive weeks of supervised, concentrated field experience required for initial licensure, including student teaching, internship, or other concentrated field experience, however named, in which the candidate shall gradually assume the full professional roles and responsibilities of an educator in the initial endorsement area sought.

5923.2 Except as otherwise provided, all candidates for student teaching shall meet the following qualifications:

- A. Competence in writing, speaking, and mathematics, and mastery of the content area(s) appropriate to the endorsement(s) being sought;
- B. Competence in teaching of reading;
- C. Competence in implementation of the principles of developmental psychology, and pedagogies appropriate to the endorsement area(s) sought;
- D. Academic competence as attested by an overall B average, and a B average in field of major studies as defined by the institution, or written certification of intellectual competence by an academic dean;
- E. Through related course work, completion of a minimum of sixty (60) clock hours of supervised field experience, which need not be consecutive and may accumulate to sixty (60) hours.

5923.3 The placement of student teachers is the responsibility of the institution and shall meet the following requirements:

- A. A minimum of twelve (12) consecutive weeks of supervised, concentrated field experience required for initial licensure, including student teaching, internship, or other concentrated field experience however named, in which the candidate shall gradually assume the full professional roles and responsibilities of an educator in the initial endorsement area sought;
- B. The assignment shall be with a licensed educator in an appropriate setting as determined by the school district and training institution. Exceptions shall be documented and submitted to the Standards Board for approval;
- C. A written agreement with the school in which the student teacher is placed outlines the responsibilities of each party;
- D. Cooperating educators have been trained by the institution in the strategies and methods being taught in the educator preparation program;
- E. The placement process and student teacher expectations are incorporated in a student teaching handbook.

5923.4 The supervision and evaluation of student teachers by the institution's faculty shall meet the following requirements:

- A. supervision shall be provided by qualified faculty from the institution's staff including adjunct faculty. An individual shall not serve simultaneously as the cooperating educator and as the supervisor from the institution's faculty.
- B. the institution's supervisors shall observe and advise the student teacher at least once every ten (10) teaching days.
- C. The institution's supervisors shall not be assigned more student teachers than can be adequately supervised and supported.

- D. a specific student teaching evaluation process shall be detailed in the student teaching handbook, including collection of data on the candidate's performance, a process for feedback to the candidate, and use of the data to provide additional assistance.

5923.5 To successfully complete a student teaching program, a student teacher shall achieve at least a grade of "B". Prior to issuing a student teaching grade, the institution shall consider the evaluation by the cooperating educator.

5930 Review Process for Program Approval

5931 Unless otherwise specified by the Standards Board, program approval shall be for seven (7) years . Said approval, or conditional approval, shall continue until such time as the Standards Board acts otherwise.

5932 Each institution with currently approved educator preparation programs shall be notified by the Standards Board at least one (1) year prior to a scheduled program approval review.

5933 An institution that wishes to initiate, add, or reactivate an educator preparation program that is not currently approved, shall submit, in advance, a written request for approval to the Standards Board. Approval of new or reactivated programs shall be limited to a two-year conditional approval. An institution that wishes to revise an approved program to meet new standards shall follow the above procedure.

5934 An institution shall notify the Standards Board in advance if it intends to significantly alter or discontinue a currently approved program.

5935 Each institutional review shall include an evaluation by a review team appointed by the Standards Board. The review team shall:

5935.1 include, but not be limited to: one member of the Standards Board, one educator preparation professional and two at-large members. The Standards Board, at its discretion, may alter the composition of the team. The review team chair shall be appointed by the Standards Board.

5935.2 conduct an on-site evaluation that includes review of the Institutional Portfolio and individual Level I Teaching Licensure Portfolios. At the conclusion of the evaluation, a summary of the review team's evaluation shall be presented in an Exit Report with the institution's president and/or designees.

5936 Reports and Responses

5936.1 The review team shall submit, in writing, a draft report of its findings, which include commendations and recommendations, to the institution. The institution may respond to any factual errors.

5936.2 The review team shall submit, in writing, a final report to the Chair of the Standards Board and the report shall be sent to the president of the institution. The report shall include a recommendation for action by the Standards Board. A copy of the report shall be filed with the Commissioner.

5936.3 The institution shall respond, in writing, to the Chair of the Standards Board regarding the contents of the report. The response shall include plans to address the recommendations specified in the report of the review team.

5936.4 The Chair of the Standards Board shall schedule a meeting of the Standards Board, or committee thereof, at which the chair of the review team, or his/her designee, shall present the report. Before the Standards Board takes action, the institution shall receive notice and shall be offered an opportunity for a hearing.

5936.5 The Standards Board shall establish time frames for reports and responses.

5940 Action by the Vermont Standards Board for Professional Educators

5941 Action by the Standards Board shall be on a program by program basis. However, a finding that an institution's administrative procedures for operating and maintaining approved programs are insufficient shall apply to all programs.

5941.1 After review of each educator preparation program offered or proposed by an institution, the Standards Board may take one of the following actions:

- A. grant full approval
- B. grant conditional approval for a specified time period
- C. deny approval

5941.2 Notwithstanding Section 5931 of these rules, approval of all proposed new programs shall be limited to conditional approval.

5941.3 No later than two years after full approval, the institution shall submit to the Standards Board a report indicating how the institution has addressed the recommendations of the review team. Continuation of full approval for each program is dependent upon satisfactory progress in addressing the concerns of the review team.

5942 Action Subsequent to Full or Conditional Program Approval

5942.1 Follow Up Review of Approved Programs

- A. Notwithstanding Section 5931, the Standards Board may review any approved program during its approval period when there is concern about its continued compliance with program approval requirements.
- B. Notwithstanding Section 5931, the Standards Board may review programs with conditional approval at any time during the conditional approval period when there is concern about its continued compliance with program approval requirements.
- C. Follow-up review by the Standards Board may be based on written documentation submitted by the institution and may include a report submitted by one or more individuals assigned by the Standards Board to review the program(s) in question. The review may also include an on-site evaluation.

5942.2 After a follow-up review, the Standards Board may find that:

- A. a program that meets requirements shall remain fully approved or a conditionally approved program that has satisfied conditions shall be granted full approval until the next scheduled approval review.

- B. a program that does not meet the requirements of its approval may have its approval suspended, revoked, or continued for a specified time period with conditions attached.

5942.3 Before the Standards Board takes action, the institution shall receive notice and be offered an opportunity for a hearing.

5950 VSBPE Waiver Rule

5951 The VSBPE may consider waiving its established rules under the following circumstances:

- A. When strict application and/or enforcement of the existing VSBPE rules would create an unintended consequence, the result of which would be contrary to the intent of the VSBPE's rules as a whole; or
- B. When strict application and/or enforcement of the VSBPE's existing rules would create an undue hardship for a licensee, an applicant, an educator preparation program, or a school district.

5952 The VSBPE shall only waive its rules under extraordinary circumstances, and under circumstances in which the interests of all affected students are protected. In considering a waiver request, the decision of the VSBPE shall be final. This rule shall not apply to the consideration of particular waiver requests which are presently, or may be in the future, covered by separate, and more specific, rules regarding waivers (such as any such rule pertaining to Praxis testing).