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Exempt Action: Final Regulation Agency Background Document

Agency name	State Board of Education
Virginia Administrative Code (VAC) Chapter citation(s)	8 VAC20-23-90
VAC Chapter title(s)	Licensure Regulations for School Personnel
Action title	Revisions to Align 8VAC20-23-90 with Chapter 183 of the 2024 Acts of the Assembly
Final agency action date	July 25, 2024
Date this document prepared	July 25, 2024

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

[RIS1]

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

[Chapter 183](#) of the 2024 Acts of the Assembly ("Chapter 183") directs the Board to amend subsection A of 8VAC20-23-90 to permit any career switcher who seeks a teaching endorsement preK through grade 12, including any career switcher who seeks a teaching endorsement in special education, to pursue a Provisional (Career Switcher) License through the career switcher alternate route to licensure program in accordance with all of the requirements set forth in such subsection. However, nothing in this section shall be construed to supplant, eliminate, or otherwise alter the Provisional (Special Education) License option established in subsection C of 8VAC20-23-90 and the Board shall clarify in its regulations that the option for a career switcher who seeks a teaching endorsement in special education to pursue a Provisional (Career Switcher) License through the career switcher alternate route to licensure program

does not supplant subsection C of 8VAC20-23-90 but rather provides an additional pathway to a provisional license for an individual who seeks a teaching endorsement in special education.

Additionally, the chapter directs the Board to amend subsection A of 8VAC20-23-90 to require each individual pursuing a Provisional (Career Switcher) License who seeks an endorsement in special education to complete at least 60 percent of the requirements set forth in 8VAC20-543-500 as part of Level I preparation and to complete the remaining requirements set forth in 8VAC20-543-500 as part of Level II and Level III preparation.

[RIS2]

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, “mandate” has the same meaning as defined in the ORM procedures, “a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”

This regulatory action results from a legislative mandate. [Chapter 183](#) directs the Board to amend its regulations.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

The State Board of Education approved the regulatory action “Revisions to Align 8VAC20-23-90 with Chapter 183 of the 2024 Acts of the Assembly” on July 25, 2024.



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Exempt Action: Final Regulation Agency Background Document

Agency name	State Board of Education
Virginia Administrative Code (VAC) Chapter citation(s)	8VAC20-790-40
VAC Chapter title(s)	Child Care Program
Action title	Revisions to Align 8VAC20-790-40 with Chapter 286 of the 2024 Acts of the Assembly
Final agency action date	July 25, 2024
Date this document prepared	July 25, 2024

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

[RIS1]

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

[Chapter 286](#) of the 2024 Acts of the Assembly provides that any family that receives public assistance through Medicaid or the Special Supplemental Nutrition Program for Women, Infants, and Children shall be deemed to categorically satisfy income eligibility requirements to receive assistance through the Child Care Subsidy Program. 8VAC-20-790-40(E) establishes the scales for determining financial eligibility for the income eligibility child care subsidy program.

[RIS2]

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

This action is the result of a legislative mandate. Chapter 286 requires the Board to amend its regulations pertaining to the Child Care Subsidy Program.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

The State Board of Education approved the regulatory action "Revisions to Align 8VAC20-790-40 with Chapter 286 of the 2024 Acts of the Assembly" on July 25, 2024.



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Exempt Action: Final Regulation Agency Background Document

Agency name	State Board of Education
Virginia Administrative Code (VAC) Chapter citation(s)	8VAC20-23-10, 8VAC-23-100, 8VAC20-23-270
VAC Chapter title(s)	Licensure Regulations for School Personnel
Action title	Revisions to align 8VAC20-23 with Chapter 642 of the 2024 Acts of the Assembly
Final agency action date	July 25, 2024
Date this document prepared	July 25, 2024

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary [RIS1]

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

[Chapter 642](#) of the 2024 acts of the Assembly directs the Board to amend 8VAC20-23. This regulatory chapter pertains to the licensure requirements for school personnel. Chapter 642 establishes universal licensure by reciprocity as a category of teacher licensure. This applies to teachers who hold a valid out-of-state teaching license with full credentials and without deficiencies that has been in force and in use by the individual as an employed teacher in a non-virtual classroom setting at a public or private elementary or secondary school for at least three years prior to and is in force at the time of application and meet other provisions set forth in the chapter. The chapter also allows a division superintendent rather than the Board, as is required by current law, to issue a CTE teacher a provisional license to allow time for the teacher to attain the industry certification credential required by law. Lastly, the chapter requires the Department of Education to compile, publicly post on its website, and update as necessary, data on

teacher licensure standards and requirements for each state for the purposes of facilitating the determination of the compatibility of out-of-state teacher licenses with requirements for teacher licensure and licensure in by reciprocity in the Commonwealth and increasing the transparency of such requirements.

[RIS2]

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, “mandate” has the same meaning as defined in the ORM procedures, “a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”

This action results from a legislative mandate. Chapter 642 of the 2024 Acts of the Assembly directs the Board to amend its regulations pertaining to teacher licensure.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

The State Board of Education approved the regulatory action “Revisions to Align 8VAC20-23 with Chapter 642 of the 2024 Acts of the Assembly” on July 25, 2024.



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Exempt Action: Final Regulation Agency Background Document

Agency name	State Board of Education
Virginia Administrative Code (VAC) Chapter citation(s)	8VAC20-23-10, 8VAC20-23-51
VAC Chapter title(s)	Licensure Regulations for School Personnel
Action title	Revisions to Align 8VAC20-23 with Chapter 845 of the 2024 Acts of the Assembly
Final agency action date	July 25, 2024
Date this document prepared	July 25, 2024

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

[RIS1]

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

[Chapter 845](#) amends § 22.1-298.1 of the Code of Virginia. The chapter allows the Board to authorize each school board, upon recommendation of the division superintendent or the school board and in accordance with the criteria set forth in the bill, to issue a one-year, nonrenewable local eligibility license that is only valid within the issuing school division to any individual who (i) received a baccalaureate degree from a regionally accredited institution of higher education, (ii) has experience or training in a subject or content area as the school board and division superintendent may deem appropriate for the applicable teaching position or endorsement area, and (iii) is not seeking to provide instruction in special education or eligible for collegiate professional or postgraduate professional licensure. The bill establishes several requirements, criteria, and conditions relating to a local eligibility license. The bill has an expiration date of July 1, 2030.

[RIS2]

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

This regulatory action results from a legislative mandate. [Chapter 845](#) directs the board to amend its regulations.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

The State Board of Education approved the regulatory action "Revisions to Align with Chapter 845 of the 2024 Acts of the Assembly" on July 25, 2024.