



**WEST VIRGINIA  
SECRETARY OF STATE**

**NATALIE E. TENNANT**

**ADMINISTRATIVE LAW DIVISION**

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5/10/2013 11:16:40 AM

OFFICE OF  
WEST VIRGINIA SECRETARY OF STATE

**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE  
(Page 1)**

AGENCY **Education**  
RULE TYPE **Legislative Exempt AMENDMENT TO EXISTING RULE Yes** TITLE-SERIES **126-  
149**  
RULE NAME **Professional Development for West Virginia Educators (5500)**

CITE AUTHORITY **W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d  
839 (1988)**

COMMENTS LIMITED TO  
**Written**

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS  
**Monday, June 10, 2013 4:00 PM**

WRITTEN COMMENTS MAY BE MAILED TO  
**Betty Jo Jordan, Executive Assistant  
West Virginia Department of Education  
Capitol Building 6, Room 362  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0330**

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

**Yes**  
**Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in  
accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 126-149



Rule Id: 9041



Document: 24765



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**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE  
(Page 2)**

AGENCY	Education			
RULE TYPE	Legislative Exempt	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES 126-149
RULE NAME	Professional Development for West Virginia Educators (5500)			

CITE AUTHORITY W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

**PROVIDE A BRIEF SUMMARY OF YOUR PROPOSAL**

The State Board of Education assumes the leadership role for the coordination, design, delivery and evaluation of professional development programs in West Virginia with the passage of Senate Bill 359 during the 2013 Regular Session of the West Virginia Legislature. Policy 5500 allows professional development goals and a statewide master plan for professional development to be developed, implemented and evaluated for the 2013-2014 school year.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 1)**

**AGENCY** Education

**RULE TYPE** Legislative Exempt AMENDMENT TO EXISTING RULE Yes **TITLE-SERIES** 126-

**RULE NAME** Professional Development for West Virginia Educators (5500) 149

**CITE AUTHORITY** W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

**SUMMARIZE IN A CLEAR AND CONCISE MANNER WHAT IMPACT THIS MEASURE WILL HAVE ON COSTS AND REVENUES OF STATE GOVERNMENT.**

**There is no fiscal cost or generation of revenue through West Virginia Board of Education Policy 5500, Professional Development for West Virginia Educators**

**Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 126-149



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 2)**

AGENCY **Education**  
RULE TYPE **Legislative Exempt AMENDMENT TO EXISTING RULE Yes** TITLE-SERIES **126-**  
RULE NAME **Professional Development for West Virginia Educators (5500)** **149**

CITE AUTHORITY **W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)**

FISCAL NOTE DETAIL -- SHOW OVER-ALL EFFECT IN ITEM 1 AND 2 AND, IN ITEM 3, GIVE AN EXPLANATION OF BREAKDOWN BY FISCAL YEAR, INCLUDING LONG-RANGE EFFECT.

Effect Of Proposal	Current Increase/Decrease (use ' - ')	Next Increase/Decrease (use ' - ')	Fiscal Year (Upon Full Implementation)
ESTIMATED TOTAL COST	0	0	0
PERSONAL SERVICES	0	0	0
CURRENT EXPENSES	0	0	0
REPAIRS AND ALTERATIONS	0	0	0
ASSETS	0	0	0
OTHER	0	0	0
ESTIMATED TOTAL REVENUES	0	0	0

Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 126-149



Rule Id: 9041



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 3)**

**AGENCY** Education

**RULE TYPE** Legislative Exempt AMENDMENT TO EXISTING RULE Yes **TITLE-SERIES** 126-

**RULE NAME** Professional Development for West Virginia Educators (5500) 149

**CITE AUTHORITY** W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

**3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT). PLEASE INCLUDE ANY INCREASE OR DECREASE IN FEES IN YOUR ESTIMATED TOTAL REVENUES.**

**This rule, Policy 5500, has no fiscal impact.**

**Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 126-149



Rule Id: 9041



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 4)**

AGENCY	Education		
RULE TYPE	Legislative Exempt	AMENDMENT TO EXISTING RULE	Yes
RULE NAME	Professional Development for West Virginia Educators (5500)		TITLE-SERIES 126-149

CITE AUTHORITY W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

PLEASE IDENTIFY ANY AREAS OF VAGUENESS, TECHNICAL DEFECTS, REASONS THE PROPOSED RULE WOULD NOT HAVE A FISCAL IMPACT, AND OR ANY SPECIAL ISSUES NOT CAPTURED ELSEWHERE ON THIS FORM.

**This rule, Policy 5500, has no fiscal impact.**

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

**Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 126-149



Rule Id: 9041



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**EXECUTIVE SUMMARY**  
**WEST VIRGINIA DEPARTMENT OF EDUCATION**

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**Policy Number and Title:** Policy 5500, *Professional Development for West Virginia Educators*

**Background:** The State Board of Education assumes the leadership role for the coordination, design, delivery and evaluation of professional development programs in West Virginia with the passage of Senate Bill 359 during the 2013 Regular Session of the West Virginia Legislature. The legislation requires the Board to establish an emergency rule on or before June 1, 2013 and the final rule in November 2013.

**Major Revisions or Reason for New Policy:** This will be an emergency rule and will repeal and replace W. Va. 126CSR149 County Professional Staff Development Councils filed on June 24, 1997 and effective July 24, 1997.

**Impact:** Policy 5550 establishes the emergency rule so that professional development goals and a statewide master plan for professional development may be developed, implemented and evaluated for the 2013-2014 school year.

**Stakeholders:** A stakeholder group was not convened for the emergency rule; however, stakeholders will be involved in the development of the final rule.

**TITLE 126  
LEGISLATIVE RULE  
BOARD OF EDUCATION**

**SERIES 149  
PROFESSIONAL DEVELOPMENT FOR WEST VIRGINIA EDUCATORS (5500)**

**§126-149-1. General.**

1.1. Scope - This rule provides guidelines for the coordination and delivery of high quality professional development for West Virginia educators. The rule defines/delineates roles and responsibilities among the various state and regional professional development providers.

1.2. Authority - W. Va. Constitution, Article XII, §2 and W. Va. Code §18-2-5 and §18-2I -1et. seq.

1.3. Filing Date – May 10, 2013

1.4. Effective Date – May 10, 2013

1.5. Repeal of Former Rule - This legislative rule repeals and replaces W. Va. 126CSR149 “County Professional Staff Development Councils” (5500) filed June 24, 1997 and effective July 24, 1997.

**§126-149-2. Purpose.**

2.1. The passage of Senate Bill 359 during the 2013 Regular Legislative Session requires the West Virginia Board of Education (hereinafter WVBE) to establish an emergency rule on or before June 1, 2013 to comply with W. Va. Code §18-2I-4. The emergency rule shall ensure the coordination, development and evaluation of high quality professional development programs for the 2013-2014 school year.

**§126-149-3. Goals for Professional Development.**

3.1. The WVBE will adopt professional development goals.

**§126-149-4. Master Plan for Professional Development.**

4.1. The West Virginia Department of Education (hereinafter WVDE) will communicate the goals for professional development to the WVDE, the Center for Professional Development, the regional educational service agencies, and the state’s institutions of higher education.

4.2. All professional development providers shall submit their professional development programs to the WVBE no later than June 1, 2013. Upon approval of the WVBE, those professional development programs shall be compiled into the statewide master plan for professional development for the 2013-2014 school year.

4.3. The WVBE shall ensure that an evaluation of the professional development programs will be conducted to determine their effectiveness, efficiency and impact.



**§126-149-5. Severability**

5.1. If any provision of this rule or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this rule.

**Policy 5500, Professional Development for West Virginia Educators**

**COMMENT PERIOD ENDS: June 10, 2013**

**COMMENT RESPONSE FORM**

**NOTICE:** Comments, as submitted, shall be filed with the West Virginia Secretary of State's Office and open for public inspection and copying for a period of not less than five years.

The following form is provided to assist those who choose to comment on Policy 5500, Professional Development for West Virginia Educators. Additional sheets may be attached, if necessary.

Name: \_\_\_\_\_ Organization: \_\_\_\_\_

Title: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

Please check the box below that best describes your role.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> School System Superintendent | <input type="checkbox"/> School System Staff | <input type="checkbox"/> Parent/Family     |
| <input type="checkbox"/> Principal                    | <input type="checkbox"/> Teacher             | <input type="checkbox"/> Business/Industry |
| <input type="checkbox"/> Professional Support Staff   | <input type="checkbox"/> Service Personnel   | <input type="checkbox"/> Community Member  |

<b>COMMENTS/SUGGESTIONS</b>
<b>§126-149-1. General.</b>
<b>§126-149-2. Purpose.</b>
<b>§126-149-3. Goals for Professional Development.</b>
<b>§126-149-4. Master Plan for Professional Development.</b>
<b>§126-149-5. Severability</b>

Please direct all comments to:

Betty Jo Jordan, Executive Assistant to the State Superintendent

West Virginia Department of Education  
Capitol Building 6, Room 362  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0330  
E-Mail Address: [bjjordan@access.k12.wv.us](mailto:bjjordan@access.k12.wv.us)  
Fax No.: (304) 558-0048

**Policy 5500, Professional Development for West Virginia Educators**

**COMMENT PERIOD ENDS: June 10, 2013**

**COMMENT RESPONSE FORM**

**NOTICE:** Comments, as submitted, shall be filed with the West Virginia Secretary of State's Office and open for public inspection and copying for a period of not less than five years.

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<b>COMMENTS/SUGGESTIONS</b>
<b>§126-149-1. General.</b>
<b>§126-149-2. Purpose.</b>
<b>§126-149-3. Goals for Professional Development.</b>
<b>§126-149-4. Master Plan for Professional Development.</b>
<b>§126-149-5. Severability</b>

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