



**WEST VIRGINIA
SECRETARY OF STATE**

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WEST VIRGINIA SECRETARY OF STATE

**FORM 5 -- NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR
A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY Education

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

RULE NAME Assuring the Quality of Education: Regulations for Education Programs (2510) 042

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)

RULE IS LEGISLATIVE EXEMPT

Yes

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

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)

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE, THE
EFFECTIVE DATE OF THIS RULE IS

Tuesday, July 01, 2014

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: 126-042



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TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION

SERIES 42
ASSURING THE QUALITY OF EDUCATION: REGULATIONS
FOR EDUCATION PROGRAMS (2510)

§126-42-1. General

1.1. Scope – This legislative rule establishes the regulations for all education programs that are designed to prepare students for a global society by improving the quality of teaching and learning in the public schools and ensuring that equal education opportunities exist for all students, including, but not limited to: rigorous high-quality curriculum, engaging instructional strategies, experiential learning programs, support programs, personnel, instructional resources, supplies, equipment, technology integration, and facilities.

1.2. Authority – W. Va. Constitution, Article XII, §2; W. Va. Code §18-1-1 and 4; 18-2-5 and 6; 18-2-7a; 18-2-39; 18-2E-4, 5, 7, and 8; 18-5A-4; 18A-1-1; Public Law 107-110, *No Child Left Behind Act of 2001* (hereinafter *NCLB*).

1.3. Filing Date – May 15, 2014.

1.4. Effective Date – July 1, 2014.

1.4.a. Unless specified otherwise within the policy.

1.5. Repeal of Former Rule – This legislative rule repeals and replaces W. Va. 126CSR42, West Virginia Board of Education Policy 2510: Assuring the Quality of Education: Regulations for Education Programs, filed July 13, 2012 and effective August 13, 2012.

§126-42-2. Purpose

2.1. The West Virginia Board of Education (hereinafter WVBE) is committed to establishing rigorous academic standards and providing high-quality programs for every student in West Virginia's public schools. The WVBE will collaborate with parents, educators, communities, business and industry, and higher education to fulfill this commitment. It is imperative that local boards of education, the school, community, students and families of students cooperate to establish high expectations for student performance and become actively involved in the education process, thereby enabling students to succeed in the classroom and the workplace, lead healthy, rewarding and productive lives, and participate responsibly in society.

2.2. Each county education program shall provide the necessary resources, including technology, to ensure that students attain high standards of performance. At early levels, students will achieve proficiency in the basic skills of literacy, mathematics, science, social studies, the arts, and 21st century learning skills and technology tools. Achievement of these skills will provide the foundation for later intellectual challenges in all programs of study. Students will explore their interests and abilities and engage in relevant activities to help them understand the world of work. Technology will be a tool to help achieve these standards in all schools. The WVBE anticipates the provision of sufficient resources and support, including an adequate system of professional development, appropriate instructional materials,

and reliable assessment measures, to realize the goal of producing students who are college- and career-ready as defined by the West Virginia Board of Education.

2.3. Schools, in cooperation with county boards of education, will determine their individual curriculum, teaching methods, and instructional design, pursuant to this policy, to assist students in achieving high levels of performance in the adopted and approved content standards and objectives and 21st Century Learning Skills and Technology Tools. Appropriate accountability measures will ensure that students and educators achieve high levels of performance.

§126-42-3. Scope

3.1. The major purposes of these regulations are to improve the quality of learning and teaching in the public schools and to ensure that equal education opportunities are provided to all public school students. Equal education opportunities to achieve one's potential include, but are not limited to: comparably high-quality programs of study, including exploring career development opportunities; student support programs; personnel; facilities; instructional materials; supplies; equipment; technology integration; and effective instructional practices. Given the demands of the global marketplace, it is essential that all students become lifelong learners prepared for successful entry into postsecondary education or the workplace.

3.2. Ensuring a quality education implies that a thorough and efficient education system exists that provides equal access to substantive curricular offerings and appropriate related services for all students. Providing such an education system must be the goal of the WVBE, West Virginia Legislature (hereinafter Legislature), West Virginia Department of Education (hereinafter WVDE), Regional Education Service Agencies (hereinafter RESAs), county boards of education, and the people of West Virginia. This policy provides the basic structure for all education programs and student support services necessary for a thorough and efficient system of education to be available to all students. The elements of a thorough and efficient system of education are:

3.2.a. high-quality education programs, student services and experiential learning opportunities;

3.2.b. high-quality administrative and instructional practices, personnel, facilities, instructional materials, technology integration, supplies and equipment;

3.2.c. a safe and caring environment that fosters supportive relationships, is free from harassment, intimidation, bullying, discrimination and other inappropriate forms of conduct, and involves parents;

3.2.d. a demanding curriculum for all students, with emphasis on the programs of study that are aligned with rigorous standards, learning skills and technology tools and are communicated to students, parents and communities; and

3.2.e. accountability measures to ensure the public that a thorough and efficient system of education is being provided to students enrolled in the public schools of West Virginia.

3.3. **System Requirements** – The system of education shall provide opportunities for every child to develop literacy skills; proficiency in 21st century learning skills and technology tools; the ability to perform mathematical practices; the ability to make informed choices among persons and issues that affect his or her governance; the ability to assess self and the total environment to know options and choose life work; the ability to perform in the world of work and postsecondary education; the ability to live a healthy lifestyle; the ability to participate in recreational activities; an understanding of the creative arts; and a sense of responsibility to facilitate compatibility with others in society and with other cultures.

§126-42-4. General Responsibilities

4.1. The responsibility for developing and implementing high-quality education programs is shared as follows:

4.1.a. **Responsibility of the WVBE** – The WVBE has primary responsibility for defining and assuring the delivery of a thorough and efficient system of education through the state superintendent of schools and the WVDE. Given this responsibility, the WVBE shall:

4.1.a.1. adopt high-quality education standards pertaining to all education programs, education personnel development, and related services;

4.1.a.2. adopt policies providing equal education opportunities for all students that equip them with the skills and knowledge to succeed, to learn throughout their lifetimes, and to attain economic self-sufficiency;

4.1.a.3. serve as an advocate for a thorough and efficient system of public education;

4.1.a.4. establish partnerships with higher education, business and industry, labor and community agencies to ensure preparation of graduates for college, other postsecondary education, and gainful employment and to achieve the goals of this policy;

4.1.a.5. adopt, in collaboration with West Virginia Higher Education Policy Commission (hereinafter WV HEPC) and Council for Community and Technical College Education, uniform and specific college- and career-readiness standards as outlined in W. Va. §18-2-39;

4.1.a.6. assist county boards of education and other participating agencies in implementing and operating high-quality education programs and related services;

4.1.a.7. receive, disburse and administer state and federal funds designated for the implementation and operation of education programs and related services;

4.1.a.8. monitor the implementation and operation of education programs and related student support services to ensure compliance with state and federal laws and policies;

4.1.a.9. provide an effective mechanism for citizens to register concerns if they believe that elements of a thorough and efficient education program are not being provided pursuant to constitutional provisions, statutes, and/or policy as outlined in W. Va. 126CSR188, WVBE Policy 7211: Appeals Procedure for Citizens;

4.1.a.10. provide exceptions and consideration for extenuating circumstances, when suitable alternatives are proposed, that ensure the attainment of the same or higher standards through the waiver process outlined in W. Va. Code §18-5A-3; and

4.1.a.11. report progress toward attainment of state education goals to the public and the Legislature.

4.1.b. **Responsibility of the WVDE** – The WVDE has a primary leadership role in: 1) defining and developing the framework for education programs and services, 2) assisting county boards of education to ensure delivery of these programs and student support services, and 3) assuring the WVBE,

the Legislature and the public that a thorough and efficient system of education is being provided. It is the further responsibility of the WVDE to:

- 4.1.b.1. work for and provide staff support to the state superintendent of schools and the WVBE;
- 4.1.b.2. provide technical assistance to county boards of education, institutions of higher education (hereinafter IHE) and related agencies;
- 4.1.b.3. encourage the use of best practices based on quality, scientifically-based research at each programmatic level;
- 4.1.b.4. disseminate information concerning the content and implications of standards, policies, and state and federal laws to county boards of education, IHEs, the business community, parents, professional organizations, educational agencies and other individuals and groups;
- 4.1.b.5. develop procedures, guidelines, and technical assistance documents necessary to implement the WVBE policies and state laws;
- 4.1.b.6. develop, provide and participate in programs for professional development based on research;
- 4.1.b.7. monitor the implementation of education programs;
- 4.1.b.8. administer funds provided and/or authorized by the Legislature and other sources;
- 4.1.b.9. maintain appropriate records and reports on the status of education programs and approved education personnel development programs;
- 4.1.b.10. be accountable to the public and the Legislature through the West Virginia Report Card; and
- 4.1.b.11. provide recommendations to the WVBE to update a plan for a thorough and efficient system of public education.

4.1.c. Responsibility of RESAs – Educational services provided by RESAs include areas of service in which the agencies can best assist the WVBE in implementing the standards-focused accountability model pursuant to subsection (a) of W. Va. Code §18-2-26 in providing high-quality education programs. These areas of service, with the first two areas constituting the most important responsibilities, include:

- 4.1.c.1. providing technical assistance to low-performing schools and school systems;
- 4.1.c.2. providing high-quality, targeted staff development designed to enhance the performance and progress of students;
- 4.1.c.3. facilitating coordination and cooperation among the county boards within their respective regions in such areas as cooperative purchasing; sharing of specialized personnel, communications and technology; curriculum development; and operation of specialized programs for exceptional children;
- 4.1.c.4. installing, maintaining and/or repairing education-related technology equipment and software with special attention to the state-level instructional and administrative technology initiatives

and programs;

4.1.c.5. receiving and administering grants under the provisions of federal and/or state law; and

4.1.c.6. developing and/or implementing any other programs or services as directed by law or by the State Board.

4.1.d. Responsibility of County Boards of Education – It is the responsibility of each county board of education to plan, deliver, and evaluate the education programs and student support services necessary to implement a thorough and efficient system of public education. The programs of study and student support services mandated by regulations must be made available to all students. In carrying out this responsibility, a county board of education may: 1) cooperate with one or more counties in establishing and maintaining joint programs, 2) use regional services or contract for services with public or private agencies having appropriate programs, and 3) coordinate and share programs, related services and resources with other organizations, agencies and local businesses. Regardless of the method chosen, each county board of education shall: 1) collaborate with local business and community groups through establishment of partnerships and a county steering committee; 2) be responsible for developing and implementing a five-year strategic plan that results in systemic change in the areas of organizational culture, curriculum, instruction, school effectiveness, and student support through a continuous improvement process, based on the W. Va. 126CSR41, WVBE Policy 2460: Educational Purpose and Acceptable Use of Electronic Resources, Technologies and the Internet (hereinafter WVBE Policy 2460) and W. Va. 126CSR48, WVBE Policy 2450: Distance Learning and the West Virginia Virtual School; distributing the county board's resources as determined by the plan; and 4) be accountable to the public through the annual West Virginia Report Card.

§126-42-5. Program Definition and Design

5.1. The education program offered in West Virginia schools is defined in broad terms as all of the education activities that take place during the school day and the school year. The education program provides education opportunities for students to achieve high levels of learning in programs of study through approved content standards and objectives and 21st century learning skills and technology tools that prepare students to be lifelong learners and successful citizens in a competitive global society. The education program is based upon information provided through research relevant to best practices and promising next practices in teaching and learning. The education program is structured and based on four programmatic levels: Early Learning Programs, Middle Level Programs, Adolescent Education Programs, and Adult Education Programs. Each county board of education shall establish policies and implement written procedures to define its education program in accordance with the definitions and requirements that follow.

5.2. Early Learning Programs (Grades Pre-K-5) – Early Learning Programs serving students in grades Pre-K-5 address the holistic needs of all students. A comprehensive approach to early learning is inclusive of a balanced focus on knowledge and skill-building, the development of positive dispositions to learning, provides the potential to improve child outcomes and closes achievement gaps. Based on knowledge of child development and developmentally appropriate practices for learners, the following Early Learning Programmatic levels are established: Early Learning Readiness (Pre-K-Kindergarten); Early Learning Primary (Grades 1-2); and Early Learning Intermediate (Grades 3-5). Early Learning Programs promote a comprehensive approach to strengthening individual students' literacy proficiency throughout school, specifically regarding the integration of language and communication, mechanics of reading, and content knowledge in developmentally appropriate contexts. To close the literacy achievement gap for all students by third grade, Early Learning Readiness and Primary Programs support students' development of approaches to learning that provide eagerness for, and interest in, the processes

of learning that lead to literacy proficiency. Opportunities to demonstrate literacy growth over time as part of a holistic approach to learning includes, but is not limited to, measuring students' proficiency with reading development during the third grade year and beyond.

5.2.a. Early Learning Readiness (Grades Pre-K-Kindergarten) – Programs serving students enrolled in Early Learning Readiness grades establish positive dispositions to learning and provide foundations for development across all domains and content areas to be successful in first grade and with lifelong learning. Emphases on social/emotional, cognitive, and motor development provide the foundation of the Early Learning Readiness grades. To support school readiness efforts and to assure the use of developmentally effective methods for students prior to entering first grade, Early Learning Readiness grades utilize components of the *Ready, Set, Go! WV* Comprehensive Framework for School Readiness.

5.2.a.1. Pre-K – A primary component of West Virginia's School Readiness framework is the West Virginia Pre-K Child Assessment System, which is inclusive of a formative assessment process that provides data to inform instruction, personalize learning, and share students' progress with families. This process also provides individual and population outcome data. The System is utilized by all WV Pre-K programs per W. Va. 126CSR28, WVBE Policy 2525: West Virginia's Universal Access to Quality Early Education System (hereinafter WVBE Policy 2525).

5.2.a.2. Kindergarten – Using a formative assessment process that provides data to inform instruction, personalize learning, and share students' progress with families, Kindergarten programs employ formative assessment methods to assure developmentally appropriate interactions, competencies, experiences, and skills are measured effectively. Data reporting for Kindergarten programs will occur a minimum of two times per year based on the evidence of individual students' developmental progress toward standards.

5.2.b. Early Learning Primary (Grades 1-2) – The Early Learning Primary grades build on the comprehensive approach to personalizing learning inherent in the Early Learning Readiness grades, and provide a context for the development of knowledge and skill building across all content areas. Development continues to span across a broad spectrum for all students and is significant in the offering of daily instruction.

5.2.c. Early Learning Intermediate (Grades 3-5) – Students in the Early Learning Intermediate grades begin the transition into middle childhood. An emphasis on the developmental levels of these students must be a continued consideration to support personalized learning, maintaining a balance between content specific focus and integration of content areas of study.

5.2.d. Early Learning Programming (Grades Pre-K – 5)

Chart I: Foundations for High-Quality Early Learning Programming (Grades Pre-K – 5)	
Developmentally Appropriate Standards Focused Curriculum	
A holistic approach to early learning requires teachers to be knowledgeable about child development and skilled in providing experiences that meet students' needs. Social/emotional, cognitive, and physical development are interrelated domains which emphasize the development of positive dispositions to learning.	Developmental Domains Social/Emotional Cognitive Physical
Best practices for a comprehensive approach to early learning instruction indicate	Content Areas

appropriate and sufficient emphases in all content areas are provided. Developmentally appropriate integration of content is utilized to provide rigor based on students' prior experiences, knowledge and developmental levels.	English Language Arts Mathematics Music Science Social Studies Visual Art Wellness
Developmentally Appropriate Practices for Physical Health and Wellness	
Students in Early Learning Programs require multiple opportunities to engage in movement experiences throughout the instructional day, enhancing the critical link between physical activity and brain functioning.	
In grades Kindergarten-5, not less than 30 minutes of physical education, including physical exercise and age appropriate physical activities, for not less than three days a week shall be provided as per W. Va. Code §18-2-7a. At least 50 percent of class time for physical education will be spent in moderate to vigorous-intensity physical activity. Schools that do not currently have the number of certified physical education teachers or required physical setting may develop alternate programs to enable current staff and physical settings to be used to meet this requirement. Alternate programs shall be submitted to the WVDE and the Healthy Lifestyle Council for approval	Physical Education
In grades Kindergarten-5 physical activity in the form of recess or informal physical activity will be provided for no fewer than 30 minutes daily for all students.	Physical Activity
WV Universal Pre-K classrooms are required to offer no less than 60 minutes of daily outdoor activity, weather permitting. A combination of indoor time may be utilized when weather conditions are conducive. Physical activity is provided through an integrated approach as part of the comprehensive curricular framework as defined by WVBE Policy 2525.	
Developmentally Appropriate Practices for Global Competence	
Global competence is the knowledge, skills, and dispositions which focus on students' understanding and effective participation in their world, as well as issues of global significance that encourage multicultural understanding. Multicultural education programs must be developed and implemented to foster an attitude of understanding and acceptance of individuals from a variety of cultural, ethnic, racial, and religious backgrounds as per W. Va. Code §18-5-15a.	Multicultural Education
Communicating in a global society requires students to apply developmentally appropriate language strategies through embedded opportunities to explore and gain an understanding of the world around them. Students utilize world languages through culturally authentic contexts within classroom experiences.	World Languages
Developmentally Appropriate Practices for Formative Assessment Processes	
Teachers employ formative assessment processes to guide daily instruction in early learning programs. Appropriate formative assessment processes provide data to inform classroom instruction. Various forms of evidence demonstrating students'	Formative Assessment

progressions of learning across content areas are utilized to personalize learning.	
Developmentally Appropriate Practices for Technology Integration	
Technology is integrated throughout classroom experiences as a tool to facilitate the learning process. Students are provided opportunities to engage in and master the standards set forth in W. Va. 126CSR44N, Policy WVBE Policy 2520.14: 21 st Century Learning Skills and Technology Tools Content Standards and Objectives for West Virginia Schools (hereinafter WVBE Policy 2520.14).	Technology
Developmentally Appropriate Foundations for Student Success and Career Readiness	
A standards-based, integrated, comprehensive and developmental school counseling program will assist elementary students with the acquisition of school success and career readiness skills to prepare for success in middle and high school, a variety of postsecondary options and becoming globally competent citizens. School counselors will work collaboratively with other school staff to assist students with overcoming personal/social barriers to learning, academic planning, and making a seamless transition to middle school. Refer to W. Va. 126CSR67, WVBE Policy 2315: Comprehensive School Counseling (hereinafter WVBE Policy 2315).	Comprehensive School Counseling Program
During the early learning years, students' development of positive approaches to learning, problem solving skills, social competence, independence, and sense of self in relationship to the world around them emerge. College, career, and citizenship readiness focuses on developmentally appropriate understandings of foundations of executive functioning.	College, Career and Citizenship Readiness

5.2.e. Classroom Learning Environments, Routines, and Instructional Practices (Grades Pre-K – 5)

Chart II: Classroom Learning Environments, Routines, and Instructional Practices (Grades Pre-K – 5).		
Early Learning Readiness (Grades Pre-K-Kindergarten)	Early Learning Primary (Grades 1-2)	Early Learning Intermediate (Grades 3-5)
Early Learning Programs provide responsive environments that include time, space, and developmentally appropriate materials necessary to create print-and language-rich environments conducive for learning and integration of standards. Classrooms are designed and equipped in a manner that supports discovery, small group and individual learning, exploration, and problem solving. Classrooms have sufficient quantity and variety of appropriate materials and resources to support student-centered learning.		
Early Learning Readiness and Primary programs ensure transitions are minimized throughout the day to provide students with maximized opportunities to engage in developmentally effective experiences.		Early Learning Intermediate programs ensure blocks of time are sufficient in duration for student engagement and content integration.
Early Learning Readiness Grades ensure sufficient time is provided for students to engage in developmentally effective experiences that promote developmental growth in all applicable state-approved content	Early Learning Primary and Intermediate grades ensure sufficient time is provided for students to master content and skills as specified in all applicable state-approved content standards and objectives.	

standards and objectives.		
Early Learning Readiness grades utilize a holistic approach to ensure content areas are interrelated, not addressed in isolation, and based on developmentally appropriate experiences that focus on students' interests and prior knowledge.	Early Learning Primary grades integrate content areas through developmentally appropriate experiences and instruction based on interests and prior knowledge.	Early Learning Intermediate grades may be ready for developmentally appropriate instruction that is content area focused. This does not preclude the use of integrated instruction that includes student-driven experiences based on interests and prior knowledge.
Instruction in Early Learning programs is personalized and based on the formative assessment process. Collection of authentic evidence is a central component to documenting student progress.		
Early Learning Readiness grades focus on individualized learning through a developmental context.	Healthy integration of Support for Personalized Learning foundations to help students achieve mastery or above in English/Language Arts and mathematics shall be employed in all Early Learning Primary and Intermediate grades.	

*Guidance for Foundations for High-Quality Early Learning Programming, Classroom Learning Environments, Routines and Instructional Practices provided by the Office of Early Learning.

5.3. Middle Level Programming (Grades 6-8) – Grades 6-8 build on the results of early childhood education and transition students into the Adolescent Education Program. Successful Middle Level Programs are characterized by a culture that is inviting, inclusive, and supportive of all. Significant academic learning experiences, characterized by rigorous content, vigorous instruction, and high expectations for all learners within a developmentally appropriate, safe, and supportive school are the norm. A middle level curriculum is challenging, exploratory, integrative, and relevant. Middle level educators use multiple learning and teaching approaches resulting in authentic engagement in active, purposeful learning. Students learn to understand important concepts, develop essential skills and apply what they learn to real-world problems. The environment and culture of a middle school should lead to every student having at least one adult advocate he or she trusts and is familiar with the student's academic development and personal goals. The creation of this learning community of both adults and students produces a stable and mutually respectful relationship that supports the students' personal, intellectual, ethical and social growth.

5.3.a. Middle Level Programming (Grades 6-8)

Chart III: Foundations for High-Quality Middle Level Programming (Grades 6-8) *		
Developmentally Appropriate Standards-Focused Curriculum		
The programs of study will be taught by a team of qualified teachers. A diverse set of developmentally appropriate instructional strategies will scaffold students to mastery and beyond of the grade level content standards and objectives. The principal and a team of teachers will determine an adequate amount of time necessary to achieve mastery of the approved content standards and objectives for each program of study and effectively address the academic needs of all students in the literacy skills of reading, writing, speaking, listening and language in all content areas. Visual art, choral and instrumental music (band or orchestra) will be offered to all students in grades 6-8. Chorus or instrumental music may substitute for a general music course at each grade level.		English Language Arts Mathematics Science Social Studies Music Visual Art

Developmentally Appropriate Practices for Physical Health and Wellness	
Middle schools should recognize that healthy lifestyles and academic success are tightly interwoven. Therefore, schools should promote wellness activities that extend beyond the course requirements for physical education and health. This may be accomplished through programs that focus on skill development, sportsmanship and teamwork. Opportunities will be provided for 30 minutes of moderate to vigorous integrated physical activity daily to keep middle grades students physically active throughout the school year. Wellness education should target the widespread behaviors that undermine the health and resulting capacity for personal success during adolescence.	Physical Activity
In grades 6-8, not less than one full period of physical education, including physical exercise and age appropriate physical activities, each school day of one semester of the school year shall be provided as per W. Va. Code §18-2-7a. At least 50 percent of class time for physical education will be spent in moderate to vigorous-intensity physical activity. Schools not having the number of certified physical education teachers or required physical setting may develop alternate programs that will enable current staff and physical settings to be used to meet the physical education requirements. Alternate programs shall be submitted to the WVDE and the Healthy Lifestyle Council for approval.	Physical Education
Health education will be taught each year in grades 6-8 to meet the approved content standards and objectives.	Health Education
Developmentally Appropriate Practices for Global Competence	
Global competence is the knowledge, skills, and dispositions which focus on a students' understanding and effective participation in their world, as well as issues of global significance that encourage multicultural understanding. Multicultural education must be integrated across content areas to foster an attitude of understanding and acceptance of individuals from a variety of cultural, ethnic, racial, and religious backgrounds as per W. Va. Code §18-5-15a.	Multicultural Education
Communicating in a global society requires students to apply developmentally appropriate language strategies through embedded opportunities to explore and gain an understanding of the world around them. World languages will be offered annually. The teaching of a world language in grade 6 is encouraged. A course in the same world language will be offered for students in grade 7 and grade 8. Implementation of the world language program should model best practice and promote positive proficiency outcomes.	World Languages
Developmentally Appropriate Practices for Technology Integration	
The educational environment will lead to proficiency and comfort with a variety of technology devices and programs. This proficiency and comfort should be modeled by teachers to support instruction and skill acquisition. Students will be provided regular opportunities within the context of normal coursework to master the standards set forth in WVBE Policy 2520.14. Students will be provided sufficient instruction and experience in technology applications to enable them by the end of 8th grade to demonstrate digital literacy and technology skills to meet the standards. The infrastructure of classrooms should infuse technology and pedagogy to transform	Technology

instruction, thus leading to improved student engagement where students construct authentic products, often collaborating in the process. These activities should include the prospect of extending the learning environment beyond the normal school time or setting and the development of digital citizenship skills in students.	
Developmentally Appropriate Practices for Formative Assessment Processes	
Teachers employ formative assessment processes to guide daily instruction in middle level programming. Appropriate formative assessment processes provide data to inform classroom instruction. Various forms of evidence demonstrating students' progressions of learning across content areas are utilized to personalize learning.	Formative Assessment
Developmentally Appropriate Foundations for Student Success and Career Readiness	
Schools will integrate career education opportunities to assist students in developing career awareness of the 16 career clusters as evidenced by personalized career portfolios. Students will have opportunity to formally investigate career opportunities in all areas. Career exploration will include opportunities to discover their interest in the emerging careers of Science, Technology, Engineering, and Mathematics (hereinafter STEM). A standards-focused, integrated, comprehensive and developmental school counseling program will assist with the acquisition of school success and career readiness skills to prepare all students for school, career, and postsecondary success to become globally competent citizens. Refer to WVBE Policy 2315. Schools will implement an advisory program that ensures students have meaningful and supportive relationships with adult advocates and peers to personalize each student's learning experience. Schools will implement a standards-focused advisory program utilizing evidenced-based practices during the instructional day.	College, Career and Citizenship Readiness
	Comprehensive School Counseling Program

** See Middle Level Guidance Document*

5.3.b. In grades 6-8, the school will engage staff in a school-wide, systemic, guidance and advisement approach to ensure Personalized Education Plan (hereinafter PEP) planning and career exploration is multi-faceted and individualized, guiding students and their parent and/or guardian to thoughtfully explore individual interests and aptitudes in relation to academic and career planning. A PEP guides each student's course selections based on individual career aspirations and postsecondary plans. The PEP covers grades 9-12 and the first year beyond graduation from high school. The PEP is developed for every student in consultation with the students' parent and/or guardian and school counselor or advisor. Development of the PEP is a thoughtful process that includes identifying each student's aptitude, interests and learning needed through review of past student work, academic assessments results, and interests and learning inventories. The PEP is used to guide, personalize and maximize each student's learning experience, ensuring each student has the opportunity to develop academic skills, identify interests, maximize strengths, minimize weaknesses, set and reach academic and personal goals, and realize their career aspirations.

5.3.b.1. During the 8th grade year, each student's PEP is developed to identify course selections for the 9th and 10th grade based on each student's identified career aspirations. Prior to development of the PEP, the school shall provide ongoing opportunities during the school day for career exploration and self-discovery involving student needs assessments, career and interest inventories, learning style inventories, self-reflections, and career inquiry.

5.3.b.2. Each student, in consultation with his or her parent and/or guardian and the school counselor, advisor, and/or Individualized Education Program Team (hereinafter IEP Team), will have the opportunity to select one or more of the state approved, broad career clusters (See Guidance Document) of interest for future exploration in grades 9 and 10. Each student develops his or her two-year coursework plan (PEP) for grades 9 and 10 to compliment chosen career clusters. Students not selecting a career cluster will select courses to meet his or her individual, documented career aspirations. The student may amend his or her PEP at the end of any semester as long as it does not interfere with the completion of graduation requirements and based on the availability of courses.

5.3.b.3. When the PEP is finalized using the process described in the above sections, the counselors and/or student advisor finalizes the PEP by securing the signatures of the student and parent and/or guardian. The student and parent and/or guardian are provided a copy of the PEP. The PEP is reviewed annually with the student and his or her parent and/or guardian and is signed and dated during each annual review conference.

5.4. **Adolescent Education Programming (Grades 9-12)** – Each high school shall provide challenging and rigorous courses in the programs of study in grades 9-12 that enable students to achieve high levels of competence for academic and career development. High schools shall provide students with the intellectual, social/emotional, physical and technological capacities needed for successful transitioning beyond graduation, ensuring all students are career- and college-ready. All students will be provided the opportunity to develop the foundational knowledge and skills for their success in a global society. Students who are college- and career-ready demonstrate independence. All students must become self-directed learners who are expected to seek out and use a variety of resources to assist them in completing assigned tasks. These resources may be teachers, peers, experts, print and/or digital materials. The required courses outlined below are designed to build strong content knowledge across disciplines by engaging students in work of quality and substance. In grades 9 and 10, students build foundational knowledge and skills; while in grades 11 and 12, students enter into a personalized aspect of their PEP, focusing carefully on selected coursework that leads to successful completion of their personal and academic goals. Each student's coursework will be designed to lead directly to placement in entry-level, credit-bearing academic college courses, an industry-recognized certificate or license, or workforce training programs.

5.4.a. Adolescent Education Programming (Grades 9-12)

Chart IV: Foundations for High-Quality Adolescent Education Programming (Grades 9-12) 24 credit required: 18 prescribed and 6 personalized	
Chart IV Adolescent Education Programming (9-10, 11-12) Graduation Requirements Graduation requirements are effective for all students enrolled in school year 2014-15, and thereafter or as otherwise specified. Courses needed for graduation require mastery of approved content standards and objectives. Students should consult with their chosen postsecondary educational program when choosing optional upper-level courses. Students who do not demonstrate mastery of the approved content standards and objectives shall be provided extra assistance and time through personalized learning and support.	
Graduation Requirements (18 prescribed)	
English Language Arts*	4 credits English 9 English 10 English 11 English 12 or English 12 CR or Transition English Language Arts for Seniors*

	An AP® English course may be substituted for any of the above courses.
Mathematics*	4 credits¹ Math I Math II Math III STEM, or Math III LA or Math III TR Math IV or Math IV TR or Transition Mathematics for Seniors* or any other fourth course option (Chart V) An AP® Mathematics course may be substituted for an equivalent course or any fourth course option.
Science*	3 credits Physical Science (Grade 9) Biology or Conceptual Biology or AP® Biology (Grade 10) One additional lab science course or AP® science course (Chart V)
Social Studies*	4 credits World Studies (Grade 9) or an AP® Social Studies course United States Studies (Grade 10) or an AP® Social Studies course Contemporary Studies or an AP® Social Studies course Civics for the Next Generation or AP® Government and Politics.
Physical Education*	1 credit Physical Education 9-12 (WV Education Information System [hereinafter WVEIS course 6609]). At least 50 percent of class time for physical education should be spent in moderate to vigorous-intensity physical activity.
Health*	1 credit Health 9-12 (WVEIS course 6909)
The Arts*	1 credit
Graduation Requirements (6 personalized)	
Personalized Education Plan	4 credits Each student's PEP will identify course work for the four (4) credits that will lead directly to placement in entry-level, credit-bearing academic college courses, an industry-recognized certificate or license, or workforce training programs. Best practices encourage students to take at least 1 AP® and/or AC course with corresponding examination, a fourth Science credit, and 2 credits in one World Language, and/or four credits cumulating in acquisition of industry and recognized Career and Technical Education (hereinafter CTE) credential focused on career aspirations.
Career and Technical Education (CTE)*	The four credits taken in a career and technical concentration must be consistent with those identified for WVDE approved career and technical programs of study. (Refer to W. Va. 126CSR44M, Policy 2520.13: Common Core Content Standards for Career and Technical Education in West Virginia Schools.) Each career and technical concentration in a school shall provide students the opportunity to obtain an industry recognized credential as part of the instructional program when applicable.

	School systems wishing to offer a concentration outside of the state approved CTE concentrations, must have four related courses approved by the local board of educations. 80 percent of students in grades 9-10 must have access to at least one career and technical foundation course. One foundation course must be offered that teaches parenting skills. 30 percent of students in grades 11-12 must have access to four units in a career and technical concentration and two career and technical electives. An additional 30 percent of students in grades 11-12 must have access to two units in a career and technical concentration. Approved WV Career Clusters - Agriculture, Food and Natural Resources - Architecture and Construction - Arts, A/V Technology and Communication - Business Management and Administration - Education and Training - Finance - Government and Public Administration - Health Sciences - Hospitality and Tourism - Human Services - Information Technology - Law, Public Safety, Correction and Security - Manufacturing - Marketing - Science, Technology, Engineering and Mathematics - Transportation, Distribution and Logistics Students with disabilities may earn 4 credits in Community Readiness Training recommended through an IEP Team as a personalized concentration.
World Languages	Communicating in a global society requires students to apply appropriate language strategies through embedded opportunities to explore and gain an understanding of the world around them. Undergraduate admission to West Virginia four-year colleges and universities include the completion of two units of the same world language.
Electives	2 Credits The remaining graduation requirements are to be electives. When choosing electives, students should consult with their chosen postsecondary educational program to make sure the electives are acceptable.
Developmentally Appropriate Practices for Student Success and Career Readiness	
Career Development	All students in grades 9-12 will be provided structured, on-going

	experiences for career exploration, decision making, and career preparation. Career development shall be an integrated approach, engaging all staff in assisting students during the school day to explore the 16 career clusters. Career exploration will include opportunities for students to discover their interests in emerging careers including STEM careers in science, oil & gas, technology, engineering, and math. The school will engage student advisors in utilizing each student's career awareness activities to develop the PEP. Advisors will assist students and their parents to utilize their various interests, learning styles, career and academic assessments to guide educational planning and career choices. Career exploration activities will be documented in each student's personalized career portfolios.
Comprehensive School Counseling Program	A standards-focused, integrated, comprehensive and developmental school counseling program will assist students with the acquisition of school success and career readiness skills to prepare for high school and postsecondary success. School counselors will work collaboratively with other school staff to assist students with academic and postsecondary planning that leads to seamless transitions to the identified postsecondary options. Refer to WVBE Policy 2315 to ensure alignment with policy requirements.
Student Advocate/Advisor/Mentor	High schools will implement an advisory system that provides students with meaningful supportive relationships and maximizes each student's personalized learning experience. An adult advocate, advisor, or mentor will take an interest in each student's successful learning, goal setting, career planning and personal growth. The advisory system shall be evidence based and systemically integrate school success and career readiness skills (e.g., work, ethic, communication skills, team work, collaborative skills, personal responsibility, social skills, organization, financial literacy, and study skills).
Physical Activity	High schools should recognize that healthy lifestyles and academic success are tightly interwoven. Therefore, schools should promote wellness activities that extend beyond the course requirements for physical education and health. This may be accomplished through programs that focus on skill development, sportsmanship and teamwork. Opportunities should be provided for 30 minutes of moderate to vigorous integrated physical activity daily to keep high school students physically active throughout the school year. Wellness education should target the widespread behaviors that undermine the health and resulting capacity for personal success during adolescence.
Technology	Students in grades 9-12 will be provided regular opportunities within the context of normal course work to master the standards set forth in WVBE Policy 2520.14. The infrastructure of classrooms should infuse technology and pedagogy to transform instruction, thus leading to improved student engagement. It is recommended that all students complete an online learning experience during grades 9-12. Students must be provided opportunities for advanced technology applications.

**See Adolescent Guidance Document*

¹ Districts wishing to utilize alternate course names for mathematics should refer to the Adolescent Guidance Document.

5.4.b. Adolescent Programs Electives (Grades 9-12)

Chart V: Adolescent Education Programming (9-12) Electives		
	Electives Required To Be Offered	Optional Electives
English Language Arts*	Transition English Language Arts for Seniors A minimum of one AP® English courses	English 12 CR Additional AP® English Courses English Language Arts College Courses Other English Language Courses based on student need and interest IB Program Courses
Mathematics*	Math I Lab Transition Mathematics for Seniors A minimum of one AP® math course	Additional AP® Mathematics Courses Advanced Mathematical Modeling STEM Readiness Mathematics Calculus Mathematics college courses IB Program Courses
Science*	Chemistry Earth Science Human Anatomy and Physiology Physics A minimum of one AP® science course	Additional ® Science courses Biology II Chemistry II Conceptual Chemistry Conceptual Physics Environmental Science Forensics Physics II Science college courses IB Program Courses
Social Studies*	Economics Geography A minimum of one AP® social studies course	Other social studies courses based on student need and interest Social Studies college courses Additional AP® Social Studies courses IB Program Courses
World Language	Three levels of one world language	Other world languages based on student need and interest AP® World Language World Language college courses
Health*	Any courses required to satisfy a Personalized Education Plan	Other health courses based on student need and interest Health college courses

Physical Education*	Any courses required to satisfy a Personalized Education Plan and one lifetime physical education course	Other physical education courses based on student need and interest Physical education college courses
The Arts*	Four sequential courses in music (both choral and instrumental), visual art (general art and/or studio art), dance, theatre	Other courses in the arts based on student need and interest as identified in guidance AP® Arts Courses Arts college courses
Career and Technical Education*	Schools must provide students access to concentrations in a minimum of four (4) of the 16 approved WV Career Clusters	AC courses Other CTE courses based on student need and interest
Driver Education	One course	
Technology		Information Technology Information Management Web Development Other courses based on student need and interest

**See Adolescent Guidance Document*

5.4.c. Programs of Study – The programs of study identified in Charts I-V must be available to all students as noted in the charts.

5.4.c.1. A student who transfers into a West Virginia school that has higher graduation requirements may not be able to complete these requirements. In such cases, the student's credits shall be evaluated to determine if one or more county and/or state requirements will be waived by the county or state superintendent.

5.4.c.2. If a student has been enrolled continuously in grades 9-12, the student shall be expected to meet the graduation requirements that were in effect when he or she entered 9th grade unless amended by WVBE policy.

5.4.c.3. If a student has enrolled after dropping out of school, the requirements that a student must meet depend upon the length of time he or she has been out of school. If the student has been out of school less than one year, he or she would be expected to complete the graduation requirements that were in effect when he or she entered grade 9 for the first time. If the student has been out of school one year or more, he or she would be expected to complete the graduation requirements in effect upon re-enrollment.

5.4.d. Personalized Education Plan – All students in grades 9-12 will continue to develop and update their PEP.

5.4.d.1. During the 9th grade and each subsequent year, each student reviews and updates his or her PEP in collaboration with the school counselor, teachers, advisors, and parent and/or guardian. Review of the PEP will include academic offerings, career plans, review of various interests, learning styles, career and academic assessments to guide changes to course selections.

5.4.d.2. During the 10th grade year, the second phase of the PEP is developed. Students identify course selections for grades 10-12 and postsecondary plans for the first year after high school. To assist with development of the three-year PEP, the school will provide ongoing opportunities during the school day for career exploration and self-discovery involving completing student needs assessments, career and interest inventories, learning style inventories, self-reflections, and multi-faceted opportunities for career inquiry. Each student's individual assessments will be reviewed to ensure academic planning maximizes individual strengths and interests. Career exploration and planning and the development of the PEP is a shared responsibility between the school counselor, teachers, advisors, and parent and/or guardian.

5.4.d.3. Students may amend his or her PEP at the end of any semester as long as it does not interfere with the completion of graduation requirements based on availability of courses. Each year when the PEP is reviewed the student, parent and/or guardian will sign and receive a copy of the PEP.

5.4.d.4. Students may take one of the following in place of a course as listed in the applicable high school program of study: 1) a higher level course, 2) a more rigorous course, 3) a College Board AP® course, 4) an IB course, 5) a college course, 6) an Advanced Career (AC) course, or 7) a dual credit course in accordance with approved local board policy. Parent and/or guardian approval must be evidenced by signature on the student's PEP.

5.4.d.4.A. A student, in consultation with his or her parent and/or guardian, may request to take higher level or more rigorous courses, College Board's AP® courses, IB courses, AC courses or college courses in lieu of required or elective courses as specified in programs of study. Such requests should be approved by the county superintendent (or designee) and principal. The decision as to whether a substitute course will count as credit for the specified concentration or recommended elective requirement must be based on its applicability to the student's 5-year PEP transition plan and postsecondary goals. Schools shall provide information regarding the availability of advanced courses to students and parents and strongly encourage students to take such courses based upon the results of the ACT PLAN, student interest and postsecondary goals.

5.4.d.4.B. The student and his or her parent and/or guardian must be advised of the decision of the superintendent (or designee) and the impact of the substitute course on the student's preparation for college, other postsecondary education or gainful employment in the student's PEP.

5.4.d.4.C. A notation must be made on the student's PEP indicating that this process was followed and that the parent and/or guardian and student clearly understand the impact of the course substitution.

5.4.d.5. The parent and/or guardian and student each sign and receive a copy of the modified PEP.

5.4.d.6. Other PEP components may include the following:

5.4.d.6.A. Co-curricular activities; and

5.4.d.6.B. Extracurricular activities.

5.4.d.7. For an eligible gifted student, a four-year education plan is developed during the 8th grade year by an IEP Team. The four-year plan replaces the PEP and includes the honors, College Board Advanced Placement® (hereinafter AP®), Advanced Careers (hereinafter AC) and/or International Baccalaureate (hereinafter IB) classes that must be provided for the student in grades 9-12.

5.4.e. Graduation Requirements – The state graduation requirements total 24 credits. See Chart IV for specific credits required for graduation.

5.4.e.1. The courses required for graduation, indicated in Chart IV, require mastery of the WVBE and county board of education approved content standards and objectives. The level of mastery shall be determined in compliance with W. Va. 126CSR37, WVBE Policy 2515: Uniform Grading (hereinafter WVBE Policy 2515), and with W. Va. 126CSR44A through 126CSR44O, WVBE Policies 2520.1 through 2520.17, approved content standards and objectives for West Virginia Schools.

5.4.e.2. A county board of education that proposes to schedule class periods in a manner that results in fewer than 8100 minutes of instructional time allotted for a high school course credit must obtain a waiver from the WVBE prior to implementing such a schedule. Courses approved through the West Virginia Virtual School approval process may be exempt from this requirement. County and multi-county vocational centers may, in order to accommodate transportation times for students, schedule courses for credit with fewer than 8100 minutes of instructional time, provided the center documents student mastery of the content standards for those courses.

5.4.e.3. County boards of education have the authority to increase graduation requirements for schools in their counties. The county superintendent shall notify the WVDE of any changes in requirements beyond the state requirements.

5.4.e.4. County boards of education must ensure that students have access to at least four College Board AP® courses annually (at least one from the core content areas of English language arts, mathematics, science, and social studies). All AP® courses must have a syllabus approved through the College Board. Effective 2012-13, all AP® course shall be taught by a teacher who has completed the required professional development (Section 7.5.c.8). Access to AP® courses may also be attained via West Virginia Virtual School AP® courses. WVBE Policy 2515 requires that grades earned in an AP® course be weighted.

5.4.f. Additional courses not identified in Chart V may be offered to afford students the opportunity to attain mastery of the approved content standards and objectives, to broaden and enrich their education, and to support academic and career development. Any elective offering must be based on WVBE approved content standards and objectives if available or based on written content standards and objectives that are approved by the county board of education.

5.4.f.1. Alternative Means to Earn High School Credit – County boards of education shall provide alternative means for students to earn high school credit as explained below.

5.4.f.1.A. Any student who successfully completes a high school level course (one meeting the high school approved content standards and objectives and taught by a content certified teacher) prior to grade 9 shall receive full credit for that course toward graduation requirements. The student's permanent record for grades 9-12 shall indicate completion of the courses. The grade for any course taken prior to grade 9 becomes part of the student's permanent record and is calculated in the student's grade point average (hereinafter GPA).

5.4.f.1.B. County boards of education are encouraged to establish policy which permits a student who masters the approved content standards for a credit bearing high school course that are embedded within a second course to receive credit for both courses.

5.4.f.1.C. County boards of education shall adopt policies that allow students to earn credit for completion of college courses and other advanced courses outside the school setting. If these courses,

including dual credit courses, are used to meet graduation requirements, the county policy must be reviewed by the WVDE and approved by the WVBE.

5.4.f.1.D. A county may develop tests for the purpose of accelerating students by proving proficiency through assessment.

5.4.f.1.E. County boards of education shall adopt policies and programs that allow students to recover credit for failed high schools courses. Researched-based successful credit recovery programs require students to successfully obtain mastery of content rather than repeat an entire course.

5.4.f.1.F All students will receive appropriate grades and/or credit for all work completed while attending school, regardless of the duration of their enrollment period.

5.4.g. **Attendance** – The following rules shall govern student attendance in grades 9-12.

5.4.g.1. Attendance for the school day for all four years during grades 9-12 is important so that students obtain the full benefit from the educational programs offered in the schools of West Virginia. Therefore, all students shall be scheduled in the defined high school curriculum, college courses, career and technical programs, credit recovery, Option Pathway, experiential learning, or virtual school courses for the full instructional day for all four years.

5.4.g.2. County boards of education shall develop and implement within their attendance policy procedures which shall be approved by the WVBE that defines the compelling circumstances under which students may attend school for fewer than four full years and/or may be scheduled for courses for less than the full instructional day.

5.4.h. **High School Diploma** – County boards of education shall award a high school diploma to every student who has completed the standard graduation requirements. A long-term plan to gradually bring the standards for a high school diploma and college- and career-readiness into uniformity shall be developed by December 31, 2014. A definition of college- and career-readiness formally adopted by the WVBE, the WV HEPC, and the Council for Community and Technical College Education is provided in the three programmatic guidance documents from the WVDE.

5.4.h.1. An eligible student with disabilities who has been determined by an IEP Team to be unable even with extended learning opportunities and significant instructional modifications to meet state and county standard graduation requirements may receive a modified diploma. Students with disabilities receiving modified diplomas shall be allowed to participate in graduation ceremonies with their same grade classmates and continue with special education eligibility services.

5.4.h.2. An Institutional Education Program operated by the WVDE will transfer graduation credits to a county school district for the awarding of the high school diploma. County school systems are required to accept the transferred credit.

5.4.i. **High School Credential** – The school system shall offer the following high school credentials for qualifying graduating students.

5.4.i.1. **College Readiness Credential** – Any student who scores at or above the college readiness benchmark as agreed upon by the WVBE, WV HEPC, and the Council for Community and Technical College Education shall receive a college readiness credential. Beginning with the 2015-2016 school year, the results of the comprehensive statewide assessment in grade 11 in English/language arts and mathematics shall be used to determine whether a student has met the college- and career-readiness

standards (W. Va. Code §18-2-39 College and career readiness initiative).

5.4.i.2. **Work Readiness Credential** – Any student who completes an approved career and technical concentration and obtains a passing score on ACT WorkKeys® assessments required by the approved concentration shall receive a work readiness credential.

5.5. **Adult Education Programs** – Adult Education Programs are designed to meet the education, employment and training, economic, civic, cultural, social, and recreational needs of adults in the community served by public schools. These programs of study are offered by county boards of education, community-based organizations or RESAs as outlined in W. Va. 126CSR57, WVBE Policy 2420: Guidelines for Compliance with Adult Education Programs and Computation for Adults Enrolled Under the School Aid Formula, Adults in Net Enrollment.

§126-42-6. Alternative Delivery of Education Programs

6.1. The county board of education shall establish policies and implement written procedures when providing for alternative delivery of education and service programs for students and community members. A thorough and efficient education must be available to all students, whether they are placed in regular or alternative programs.

6.2. Alternative Delivery Programs

6.2.a. Extended student learning may be offered based on student needs and as funds and other resources become available.

6.2.a.1. Extended student learning may include, but is not limited to: extended day or year; mini-courses; summer school or an alternative calendar that allows for year-round schooling; and experiential learning that may take place outside of the regular school calendar.

6.2.a.2. Extended student learning opportunities may be provided by the school system, community agencies, IHEs, businesses or other entities under agreements authorized by the county board or WVBE. These agreements may include payment specifications for those parties using the facilities.

6.2.a.3. Students may elect to participate in extended learning opportunities and may receive elective credit when approved by the county board or WVBE.

6.2.b. All summer school programs shall be submitted to the WVBE for approval. Schools may award credits earned from approved summer schools provided the instructional program is equivalent to that required in the regular school term.

6.2.c. Homebound/Hospital Services

6.2.c.1. Student who, due to injury or illness as certified in writing by a licensed physician who specializes in the health condition that may temporarily confine a student to home or hospital for a period that has lasted or will last more than three consecutive weeks will receive home/hospital services. The written statement from a license physician must include:

6.2.c.1.A. the specific reasons and period of time that the student must remain at home or in the hospital; and

6.2.c.1.B. the criteria or conditions under which the student will return to school, and the

expected date of such return.

6.2.c.2. A written statement by a licensed physician who specializes in the health condition must be resubmitted at least every three months if a student's temporary home/hospital instruction is prolonged.

6.2.c.3. The county board of education may require that the parent and/or guardian obtain an opinion from a second licensed physician who specializes in the health condition at the expense of the county board.

6.2.c.4. Home/hospital services must be designed to provide the student adequate opportunity to continue learning toward mastery of grade level content standards and objectives while they are temporarily confined to home or hospital. These services may not replace full time instruction on an ongoing basis. The expectation is that students will return to the regular classroom.

6.2.c.5. County boards of education shall develop and implement within their attendance policy procedures which shall outline and define home/hospital services. The schedule for home/hospital services must include adequate instructional time and be provided at a location determined by the county (not necessarily the student's home) when a responsible adult in addition to the teacher is present.

6.2.c.6. Since home/hospital services are temporary in nature, the home/hospital teachers are responsible for facilitating instruction only for approved content standards and objectives for core courses (i.e., English language arts, mathematics, science and social studies). The home/hospital services are guided by the student's classroom teacher(s); consequently, the home/hospital teacher must be in regular contact with the classroom teacher(s) to:

6.2.c.6.A. secure and understand units/lessons, instructional plans and instructional resources (including approved online and virtual options), and

6.2.c.6.B. establish procedures for the collection and return of student work to the classroom teacher(s) for feedback and assessment.

6.2.c.7. Home/hospital services, provided for an exceptional student who is unable to attend school temporarily because of an injury, illness or health condition requires a change in the student's placement to Out-of-School Environment (hereinafter OSE) as defined by W. Va. 126CSR16, WVBE Policy 2419: Regulations for the Education of Students with Exceptionalities (hereinafter WVBE Policy 2419), Section 5.1.5.g.E. The change of placement to OSE must be addressed by the student's IEP Team and implemented in accordance with the requirements of WVBE Policy 2419.

6.2.c.8. Home and/or hospital services may also be provided temporarily at the direction of the county superintendent for students who have not met the immunization requirements of W. Va. Code §16-3-4.

6.2.d. **Alternative Settings for Disruptive Students** – Students whose disruptive behavior places them at risk of not succeeding in the traditional school structure may be eligible for placement in an alternative education program as authorized by W. Va. 126CSR99, WVBE Policy 4373: Expected Behavior in Safe and Supportive Schools (hereinafter WVBE Policy 4373).

6.2.e. **West Virginia Virtual School Options** – With the appropriate approval, the West Virginia Virtual School may provide additional course options to be taken through distance learning that will support the alternative delivery settings described in Section 6.2.

6.2.f. **West Virginia Option Pathway** – The Option Pathway is a blend of the CTE Pathway and the High School Equivalency Assessment. This pathway provides an opportunity for the high school students behind their ninth grade cohorts a second opportunity to graduate on time rather than dropping out of school.

6.3. Accountability for Alternative Programs

6.3.a. All alternative delivery of programs for K-Adult must meet the standards and safeguards set forth in WVBE policies related to curriculum, instruction, and student support services.

6.3.b. Letters of agreement and/or contracts shall be used with external agencies, businesses and individuals to clarify responsibilities in areas such as student supervision, public access to school facilities, finance and program accountability.

§126-42-7. County Board of Education Responsibilities

7.1. The county board of education shall establish policies and implement written procedures to provide high-quality delivery of its education program. In meeting this responsibility, the county board shall address the components of a high-quality program listed below.

7.2. The county board of education shall implement the following administrative practices.

7.2.a. Ensure that all schools are safe and that the environment is conducive to learning.

7.2.b. Implement the following rules governing student attendance in grades Pre-K-12:

7.2.b.1. Ensure that all students, ages 6-17, are attending public schools or are exempt from compulsory public school attendance under the provisions of W. Va. Code §18-8-1.

7.2.b.2. The student attendance rate for elementary and middle schools is at or above 90 percent or the percentage of students meeting the attendance rate shows improvement from the preceding year. The student attendance rate will be adjusted for the following allowable deductions as defined in W. Va. 126CSR81, WVBE Policy 4110: Attendance: absences that result from school-approved curricular and/or co-curricular activities; failure of the bus to run or hazardous conditions; excused student absences; students not in attendance due to disciplinary measures; and absent students for whom the attendance director has pursued judicial remedies to compel attendance (filed a criminal complaint or juvenile petition) due to provisions in W. Va. Code §18-8-4. For each school's annual designation determination under the West Virginia Accountability System (hereinafter annual designation), the attendance rate calculation will be used for accountability at the public school level but will not be calculated for each subgroup. The attendance rates for each subgroup at the public school, school district, and state levels will be used for reporting purposes.

7.2.c. Provide assurances that the county comprehensive developmental guidance and counseling policy reflects provisions in W. Va. Code §18-5-18b.

7.2.d. Ensure that prior to the beginning of each school year, the principal and teachers at every school determine time allocations that, based on the needs of the students, maximize engaged instructional time and limit disruptions during the school day within the regular and alternative school calendars for specific instructional programs.

7.2.d.1. School calendars and schedules shall be organized to maximize academic learning time through a variety of strategies which may include, but are not limited to, restructuring the school day, providing tutorial sessions, utilizing appropriate technology, extending the school day and/or extending the school year.

7.2.d.2. The school calendar shall meet the requirement of W. Va. Code §18-5-45 and W. Va. 126CSR73, WVBE Policy 3234: School Calendar (hereinafter WVBE Policy 3234).

7.2.d.3. The school calendar shall provide, at a minimum, 14 hours per week for Pre-K, and an instructional day of 315 minutes for kindergarten and grades 1-5, 330 minutes for grades 6-8, and 345 minutes for grades 9-12.

7.2.d.4. Co-curricular activities may, by their nature, be scheduled without regard to the use of accrued instructional time.

7.2.d.5. Accrued instructional time may be only used to recover instructional time lost due to: the late arrival or early dismissal of students due to inclement weather; the closing of school because of the prevalence of contagious disease, conditions of weather or any other calamitous cause over which the board has no control; professional development activities; or, to accommodate the schedule of faculty senate meeting on instructional days. Accrued instructional time cannot be used to avoid one hundred eighty separate days of instruction. (Refer to WVBE Policy 3234.)

7.2.e. Develop a Five-Year School System Strategic Plan.

7.2.f. Establish procedures at the county and school levels to ensure that formative and formal assessment data are used to identify student learning needs and to adjust instruction to meet those needs.

7.2.g. Provide a comprehensive system of career clusters and concentrations in order to ensure that students understand the breadth and scope of careers in the global digital workplace.

7.2.h. Develop a system for ensuring that instruction is based upon approved content standards and objectives, and WVBE Policy 2520.14.

7.2.i. Appoint and maintain a county school system or multi-county technical center advisory council that meets on a regular basis to provide advice on current and future employment needs and on the relevancy of courses being offered. Each technical concentration must have a program area advisory council that meets on a regular basis to advise on course content, including which skills should be taught, instructional resources and equipment needed, and standards which should be met to assure student employability or preparedness for further education.

7.3. The county board of education shall ensure that each school has established and is implementing:

7.3.a. A process to maintain a safe climate conducive to learning that enhances the physical, social, and emotional well-being of students;

7.3.b. A process for flexible scheduling of students and staff to ensure that every student has the opportunity to achieve or exceed mastery of each content standard;

7.3.c. A process and procedures for providing quality, content-specific, professional development to ensure implementation of methodologies and best practices for strengthening the rigor, content and relevance of the learning process;

7.3.d. Approved content standards and objectives for learning so all teachers are aware of the instruction students receive prior to entering the grade level they teach and what the expectations are for students to be able to succeed at subsequent grade levels;

7.3.e. A process for ensuring that instructional practices are evidence- and research-based;

7.3.f. A system for monitoring and assessing pupil performance related to the approved content standards and objectives of the school education program;

7.3.g. A policy for student homework;

7.3.h. A policy for grading that is consistent with WVBE Policy 2515 and that addresses, at least, the issues of retention, promotion and the replacement of a grade if a course is retaken;

7.3.i. A procedure for monitoring continuing record of student progress for student, parent and teacher information;

7.3.j. A process to ensure that parents are involved in the school and their child's education;

7.3.k. A student code of conduct policy that requires public schools to respond immediately and consistently to incidents of harassment, intimidation, bullying, substance abuse and/or violence or other student code of conduct violations in a manner that effectively deters future incidents and affirms respect for individuals as outlined in WVBE Policy 4373;

7.3.l. A system to monitor dropout rates and, when appropriate, plans to reduce the student dropout rate;

7.3.m. A process for timely, accurate and complete entering of data into the WVEIS;

7.3.n. Library/media services that provide access to electronic means for retrieving, receiving and using information as well as traditional print resources;

7.3.o. Technology practices that facilitate student development in areas such as, but not limited to, computer skills, critical thinking and decision-making, application of academic knowledge in workplace programs, making informed career decisions and meeting the requirements of WVBE Policy 2520.14;

7.3.p. A technology infrastructure that has multiple applications in enabling students to achieve at higher academic levels;

7.3.q. A school technology team that functions with the school strategic planning committee to develop a comprehensive technology plan that includes WVBE Policy 2460;

7.3.r. A Local School Improvement Council (hereinafter LSIC) as outlined in W. Va. Code §18-5A-2 that facilitates improvement of educational quality by encouraging the involvement of the school community in the operation of the school as outlined in W. Va. 126CSR11A, WVBE Policy 2200: Local School Improvement Councils: Engaging Parents, Families, Students, Business and Community in Education and by utilizing the waiver process when appropriate;

7.3.s. A faculty senate that facilitates school improvement through practices outlined in W. Va. Code §18-5A-5 and in accordance with WVBE Policy 3234;

7.3.s.1. A local board shall provide to each faculty senate a two-hour block of time for a faculty senate meeting on a day scheduled for the opening of school prior to the beginning of the instructional term and at least four additional two-hour blocks of time during noninstructional days, with each two-hour block of time scheduled once at least every 45 instructional days. A faculty senate meeting scheduled on a noninstructional day shall be considered as part of the purpose for which the noninstructional day is scheduled.

7.3.t. A school curriculum team that establishes instructional programs and methods, based on the needs of the school, that implement the state approved content standards and objectives;

7.3.u. A continuous system of program assessment, accreditation and program improvement; and

7.3.v. A Five-Year School Strategic Plan (hereinafter The Plan) that is based on the identified needs of the students and is developed collaboratively by the LSIC, the principal, faculty senate, school technology team, school curriculum team and other appropriate stakeholders.

7.4. County boards of education must provide student services to ensure that students are able to participate in and benefit from a high-quality education program. These services include, but are not limited to: guidance and counseling, health services, school psychological services, special education and related services, social services and attendance, transportation services, and nutrition services.

7.4.a. English as a Second Language services, or specially designed instruction, at no cost to parents, to meet the unique educational needs of an eligible limited English proficient student, including sheltered instruction conducted in the classroom and in other settings, shall be provided as specified in the student's Limited English Proficient (hereinafter LEP) program of study and in accordance with W. Va. 126CSR15, WVBE Policy 2417: Programs of Study for Limited English Proficient Students.

7.4.b. **School Counseling Program** – A comprehensive school counseling program is an integral part of each student's educational experience and supports the county/school/state's educational mission. The school counseling program consists of the school counseling core curriculum, individualized student planning, responsive services, and student supports. The program is coordinated by a certified school counselor and delivered collaboratively by stakeholders to assist students in achieving academic, personal/social and career/life goals to become globally responsible citizens. A certified counselor in each school provides consultant services for parents, teachers and administrators and uses outside referral services to assist students in overcoming barriers to learning, when appropriate, if no additional cost is incurred by the county board of education. School counselors shall be full-time professional personnel, shall spend at least 75% of work-time in a direct counseling relationship with pupils, and shall devote no more than 25% of the work-day to administrative activities: provided that such activities are related to guidance and counseling (W. Va. Code §18-5-18b). The role of school counselors is defined by West Virginia Professional School Counselor Standards as outlined in W. Va. 126CSR114, WVBE Policy 5100: Approval of Educational Personnel Preparation and WVBE Policy 2315.

7.4.c. **Breakfast and Lunch Programs** – W. Va. Code §18-5D-2, §18-5D-3, and §18-5D-4 requires county boards of education to establish and operate a breakfast program under which a nutritious breakfast shall be made available to all students enrolled in the school in accordance with standards of the WVDE. In addition to the School Breakfast Program, the National School Lunch Program provides nutritious meals for all students who choose to participate in the program. All schools must serve meals that meet the dietary guidelines set forth by the United States Department of Agriculture.

7.4.d. **School Health Services** – School health services are coordinated through the certified

school nurse (defined as a Registered Professional Nurse) to provide early identification of educational deficits and communicable disease, daily support and care for students with specialized health care needs during the school day with linkage and follow-up care to services as required in W. Va. 126CSR25A, WVBE Policy 2422.7: Standards for Basic and Specialized Health Care Procedures (hereinafter WVBE Policy 2422.7), W. Va. 126CSR27, WVBE Policy 2422.8: Medication Administration (hereinafter WVBE Policy 2422.8), and W. Va. 126CSR51, WVBE Policy 2423: Communicable Disease Control. Emphasis is placed on preventive services, health promotion and education to support academic success, reduce absenteeism and promote lifetime health and wellness.

7.4.e. School Psychological Services – School psychological services facilitate the interpersonal and academic development of all students and foster the social/emotional health and the academic success of students. School psychologists assist teachers and other school personnel with assessment information, academic and behavior intervention plans, and understanding student implications in relation to school performance and safe school considerations.

7.4.f. Compulsory School Attendance – W. Va. Code §18-8-1a requires compulsory school attendance to begin with the school year in which the 6th birthday is reached prior to September one of such year or upon enrolling in a publicly supported kindergarten program and to continue to the 17th birthday or for as long as the student continues to be enrolled in a school system after the 17th birthday. County boards of education must employ a full-time attendance director if the county has a net enrollment of more than 4,000 pupils and at least a half-time director if net enrollment is less than 4,000 (W. Va. Code §18-8-3 and Section 5.4.g).

7.4.g. Special Education – Special education, or specially designed instruction, at no cost to parents, to meet the unique educational needs of an eligible student with exceptionalities, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings shall be provided as specified in the student's Individualized Education Program (hereinafter IEP) and in accordance with WVBE Policy 2419. Related services include transportation and such developmental, corrective and other supportive services as are required to assist an eligible student with exceptionalities to benefit from special education and shall be provided as specified on the student's IEP. Specific related services are defined and described in WVBE Policy 2419 and WVBE Policy 2422.7.

7.4.h. Transportation – Each student who requires county board provided transportation shall have safe, efficient transportation to the extent necessary to assure the opportunity to participate in the county education program (W. Va. Code §18-5-13).

7.5. Personnel

7.5.a. County boards shall employ supervisory/administrative staff who are professionally certified administrators who have met the requirements of training through the principal's academy as identified in W. Va. Code §18A-3-2c.

7.5.b. Principals shall be provided continuous, high-quality, sustained professional development opportunities through a variety of means that increase the principal's ability to be an instructional leader so that students can achieve high levels of performance in the approved West Virginia content standards and objectives.

7.5.c. County boards shall:

7.5.c.1. employ highly qualified teachers to implement each program of study;

7.5.c.2. ensure that professional staff members are working in the areas of endorsement specified on their certificates;

7.5.c.3. ensure that teachers have a specific knowledge of the approved content standards and objectives for all programmatic levels (Pre-K-12);

7.5.c.4. ensure that professional staff are provided continuous high-quality, sustained, and classroom-focused professional development that increases the knowledge and skills required to create conditions that result in students achieving high levels of performance in the approved West Virginia content standards and objectives;

7.5.c.5. ensure Alternative Education Programs, as outlined in WVBE Policy 4373, provide for the participation of content area certified teachers in the development of the academic curriculum and the assessment measures to determine mastery of approved content standards and objectives;

7.5.c.6. ensure that mentors are provided for first year teachers and administrators, and teachers moving into assignments in a different endorsement area and/or programmatic level;

7.5.c.7. ensure that all teachers and library/media professionals are provided a duty free planning period that is the length of the usual class period and is not less than 40 minutes (W.Va. Code §18A-4-14);

7.5.c.8. ensure that all secondary teachers who teach College Board AP® courses have completed the required professional development. This professional development consists of: 1) Advanced Placement® Summer Institute (hereinafter APSI) delivered through the West Virginia Center for Professional Development (hereinafter CPD) or other College Board endorsed APSI and 2) AP® fall workshop;

7.5.c.8.A. Teachers of AP® courses must attend an APSI once every three years after completing the initial APSI. Teachers of AP® courses may also meet the requirement for attendance at the APSI by holding the Advanced Placement® credentials outlined in W. Va. 126CSR136 WVBE Policy 5202: Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classification (hereinafter Policy 5202).

7.5.c.8.B. All teachers of AP® courses must attend an AP® fall workshop every two years.

7.5.c.9. ensure that an administrator from each high school attends a CPD College Board endorsed AP® related workshop once every two years; and

7.5.c.10. ensure that all AP® coordinators attend an AP® Coordinator's workshop annually.

7.5.d. County boards shall:

7.5.d.1. Employ aides and/or Early Childhood Classroom Assistant Teachers to enhance the instructional environment and provide time to ensure educational quality in the classroom;

7.5.d.1.A. Aides assist teachers with non-instructional duties and in instructional related activities in appropriate programs. Duties may include, but are not limited to: a) clerical and technical assistance; b) in-class assistance; c) tutorial services; d) distribution of instructional resources; e) supervision of students in the instructional environment and during specific assigned duties (W. Va. Code §18A-5-8); f) assistance with technology utilization; and g) in some cases, performance of basic or

specialized health care procedures.

7.5.d.1.B. Beginning July 1, 2014, all kindergarten and prekindergarten classroom aides must hold an Early Classroom Assistant Teacher Permanent Authorization or Temporary Authorization (W. Va. Code §18-5-18).

7.5.d.1.C. One Early Childhood Classroom Assistant Teacher is assigned to a kindergarten classroom if the class enrollment exceeds 10 students. Kindergarten classroom ratios should be maintained throughout the instructional day, including art, physical education, music or additional related courses.

7.5.d.1.D. All WV Pre-K classrooms shall have adequate supervision at all times. When students are on the premises, a WV Pre-K participating program shall ensure that two adults are present with children per WVBE Policy 2525. One of the two adults may be an Early Childhood Assistant Teacher.

7.5.d.1.E. Aides are available for eligible students with disabilities as needed to implement the IEP and as set forth in the WVBE Policy 2419.

7.5.d.1.F. Early Childhood Classroom Assistant Teachers and Aides assigned to a school are scheduled by the principal.

7.5.d.2. Use community resources, when appropriate, in innovative ways on a volunteer, part-time or contractual basis in order to complement, support or extend the instructional program including the provision of experiential learning opportunities.

7.5.e. County boards shall:

7.5.e.1. Implement an employee evaluation system based on W. Va. 126CSR142, WVBE Policy 5310: Performance Evaluation of School Personnel.

7.5.e.2. Implement a comprehensive system of professional development that includes the implementation of W. Va. 126CSR149, WVBE Policy 5500: Professional Development for West Virginia Educators.

7.6. Facilities

7.6.a. County boards shall ensure that facilities meet the standards set forth in W. Va. 126CSR172, WVBE Policy 6200: Handbook on Planning School Facilities.

7.7. Instructional Resources, Supplies, and Equipment – County boards shall:

7.7.a. Ensure that the instructional resources used as the primary resource for instruction in required programs of study are on the most recent list of state adopted instructional resources or have been exempted by the WVBE through an approved waiver or through the West Virginia Virtual School course approval process.

7.7.b. Establish procedures to select instructional resources and supplemental resources that correlate with approved content standards and objectives for each content area.

7.7.c. Ensure that appropriate instructional resources and equipment are available for the full

instructional term, in good operating condition, and are sufficient for the size of the group to be served.

7.7.d. Ensure that a copy of the approved content standards and objectives are provided to each teacher and ensure that the public has been provided information and access to materials for review upon request.

7.7.e. To the extent practicable, and as funds and other resources are available, provide access to instructional technologies outside the normal school day for use by students including those in adult education, teachers, parents and citizens.

7.8. Information Systems

7.8.a. Every local education agency (LEA) and school shall participate in WVEIS and other WVDE data collections through adherence to data collection calendars and guidance documentation, which are developed and maintained through the WVDE data governance structure to ensure compliance with state and federal reporting requirements and to support the population and sustainability of the state's longitudinal data system for educational decision making.

§126-42-8. School Based Responsibilities

8.1. Strong leadership by the administration and faculty is necessary for effective schools to produce higher levels of student achievement. Shared leadership based on the W. Va. 126CSR12, WVBE Policy 2322: Standards for High-quality Schools (hereinafter WVBE Policy 2322), must be in place in order for schools to be effective in meeting the needs of students and improving student learning.

8.1.a. **Positive Climate and Cohesive Culture** – In high-quality schools, the staff shares some educational beliefs and values, establishes high expectations and creates an engaging and orderly atmosphere to foster learning for all.

8.1.a.1. **Shared Beliefs and Values** – The staff works collaboratively around a set of shared educational beliefs and values and uses these to intentionally shape the school's climate and control.

8.1.a.2. **High Expectations for All** – The staff establishes high expectations for self and students that are written, clearly communicated and readily observed in educational practice and personal behavior.

8.1.a.3. **Safe, Orderly, and Engaging Environment** – The school environment is safe, well-managed and clean and contributes to an engaging and inclusive atmosphere for learning.

8.1.b. **School Leadership** – In high-quality schools, the principal fosters and develops distributed leadership among staff, students, and stakeholders in order to focus collective action for improved school performance.

8.1.b.1. **Principal Leadership** – The principal exhibits the professional knowledge, skills, and dispositions that reflect strong leadership in effective management. (Note: Specific indicators of instructional leadership by the principal appear within each of the High-Quality Standards.)

8.1.b.2. **School Teams and Councils** – The school teams and councils function effectively to advance the mission and goals of the school through leadership, planning and problem-solving.

8.1.b.3. **Teacher Leadership** – Teachers assume responsibility for school and classroom

improvement and are provided authentic opportunities and resources to lead and influence professional practice.

8.1.b.4. Student Leadership – Students are engaged in age-appropriate leadership opportunities that develop self-direction and a sense of responsibility for improving self, school and community.

8.1.c. Standards-Focused Curriculum, Instruction and Assessments – In high-quality schools, the staff delivers a standards-focused curriculum that enhances the unique qualities of each learner and assures that all students attain the essential knowledge, skills and dispositions necessary in the global, digital age.

8.1.c.1. Classroom Learning Environment – Teachers create and manage an inviting classroom environment that is student-centered and fosters student reflections, intellectual inquiry and self-direction.

8.1.c.2. Standards-Focused Curriculum – Teachers implement a standards-focused curriculum aligned with the approved content standards and objectives and WVBE Policy 2520.14.

8.1.c.3. Instructional Planning – Teachers design long and short term instructional plans for guiding students' mastery of the approved content standards and objectives based on the needs, interests and performance levels of their students.

8.1.c.4. Instructional Delivery – Teachers facilitate engaging instructional experiences that enhance individual student progress in mastery of the approved content standards and objectives using multiple strategies, appropriate assessments, learning resources, digital tools and processes aligned with instructional targets.

8.1.d. Student Support Services and Family/Community Connections – In high-quality schools, the staff places student well-being at the forefront of all decisions, provides support services to address students' physical, social/emotion and academic growth, and forms positive connections to families and the community.

8.1.d.1 Positive Relationships – Positive relations exist between the school staff and students, families and the larger community.

8.1.d.2. Student Personal Development – The school staff attends to students' physical, social/emotional and academic well-being through coordinated student support services for health, child nutrition, character education, guidance and counseling, special education and English as second language.

8.1.d.3. Parent and Community Partnership – The school staff forms partnerships with various community agencies and organizations to enhance the ability to meet the needs of all students.

8.1.e. Educator Growth and Development – In high-quality schools, staff members participate in processes of self-reflection, collaboration and evaluation that lead to professional growth and development in order to impact student learning.

8.1.e.1. Professional Development – The staff will engage in continuous learning opportunities for professional growth designed to improve school and classroom practices.

8.1.e.2. Teacher Collaboration – The teachers participate in high functioning professional learning communities to collaborate on the improvement of student learning through the study of relevant

data, problem analysis and the implementation of strategies that improve instructional practices.

8.1.e.3. Evaluation, Feedback and Support – The staff participates in processes of evaluation that facilitate self-reflections and inform instructional practices.

8.1.f. Efficient and Effective Management – In high-quality schools, efficient and effective management procedures assure the facilities, fiscal resources, personnel, and data and technology systems add value to student learning and comply with law and policy.

8.1.f.1. Facilities – Facilities are clean, well-maintained, safe and secure, aesthetically pleasing, and configured to meet the learning needs of students.

8.1.f.2. Fiscal Resources – Policies and processes are established and applied to obtain, allocate and efficiently manage school fiscal resources.

8.1.f.3. Personnel – High-quality personnel are selected according to W. Va. Code §18A-4-7A and are purposefully assigned and retained to effectively meet the identified needs of students.

8.1.f.4. Data Information Systems, Technology Tools and Infrastructure – The school has appropriate technology infrastructure and utilizes data information systems and technology tools to support management, instructional delivery and student learning.

8.1.g. Continuous Improvement – In high-quality schools, there is collective commitment to collaboratively identify, plan, implement, monitor, evaluate, and communicate the changes necessary to continuously increase student learning.

8.1.g.1. Focused and Coherent Plan – The staff establishes a coherent approach for improving the performance of students based on the mission and goals outlined in the strategic plan.

8.1.g.2. Processes and Structures – The staff has well-defined structures for building professional relationships and processes necessary to collaboratively engage all stakeholders in actions to increase student learning.

8.1.g.3. Monitoring for Results – The staff monitors changes in practice and implements adjustments, evaluates the results of student learning, and communicates the progress to all stakeholders.

8.2. Student Assistance Team – Each public school shall establish a student assistance team that:

8.2.a. consists of at least three persons, including a school administrator or designee, who shall serve as a chairperson, a current teacher(s) and other appropriate professional staff;

8.2.b. reviews individual student needs that have persisted despite being addressed through Support for Personalized Learning (SPL), a multi-tiered system of academic and behavior support which includes problem-solving instruction and intervention teams, or acts in lieu of an instructional intervention team, and considers referrals for multidisciplinary evaluation;

8.2.c. invites parents to review recommendations made by the team in regard to the child's program and to provide feedback to the team about those recommendations;

8.2.d. is trained in referral procedures for multidisciplinary evaluations, Alternative Education placement, disciplinary procedures, and other school processes as appropriate for ensuring student

progress and maintenance of a safe school environment; and

8.2.e. collects and maintains data on the activities of the team, including the dates of meetings, the members in attendance, the recommendations of the team, the dates of review meetings, and the results of its recommendations.

§126-42-9. Statewide Assessment Program

9.1. All public school students shall participate in the West Virginia Measures of Academic Progress (hereinafter WV-MAP as stated in W. Va. 126CSR14, WVBE Policy 2340: West Virginia Measures of Academic Progress (hereinafter WVBE Policy 2340)).

9.1.a. WV-MAP are used as part of the annual designation (See W. Va. 126CSR13, WVBE Policy 2320: A Process for Improving Education: Performance Based Accreditation System [hereinafter WVBE Policy 2320]).

§126-42-10. School, County, RESA and Other Assessments

10.1. The school, county, or RESA may develop assessments aligned with the content standards and objectives to drive instructional improvement for all students.

10.1.a. Assessments may include standard, non-standard, performance assessments or portfolios, observation performance data, achievement checklists, teacher-made tests and other assessments that are at the direction of and use by the classroom teacher.

10.1.b. A formative assessment process and reporting system shall be used in grades Pre-K-3 to provide educators with information to inform instruction, personalize planning, and share individual students' progress with families in meaningful ways.

10.2. All public school students may be assessed with the appropriate end-of-course (EOC) tests at the grade level in which they are enrolled and taking the course. All public school eligible students with disabilities under WVBE Policy 2419 or Section 504 will be assessed if necessary with the appropriate accommodations and/or with modifications as determined by their respective IEP Teams or Section 504 Committees or LEP Committees. (See WVBE Policy 2340, Sections 3.1 and 4.2 and W. Va. §18-2-39)

§126-42-11. Program Accountability

11.1. The WVBE has adopted the following goals from West Virginia's Elementary and Secondary Education Act (ESEA) Flexibility Request, which was approved May of 2013, to guide accountability for schools, county school districts and the state.

11.1.a. By 2020, all schools will meet their West Virginia Accountability Index target, comprising proficiency rates, performance of the bottom 25% of students, student growth, and attendance or graduation rates.

11.1.b. By 2020, at least 75% of all students will become proficient in mathematics and English language arts.

11.1.c. All students will be taught by highly qualified teachers.

11.1.d. All students will be educated in learning environments that are safe, drug free, and

conducive to learning.

11.1.e. By 2020, at least 85% of all students will graduate from high school within four years of enrolling in grade 9 and at least 87.5% of all students will graduate from high school within five years of enrolling in grade 9.

11.2. A single system of accountability will be applied to all public schools. See WVBE Policy 2320 for guidelines for the accountability system.

§126-42-12. Program Improvement

12.1. County Improvement

12.1.a. **Five-Year School System Strategic Plan** – Each county shall develop and implement a Five-Year School System Strategic Plan that contains procedures and activities to strengthen the county education program in order to increase student achievement and positively impact other student outcomes. The plan addresses the following elements: 1) core beliefs and mission, 2) improvement goals, 3) a plan that includes action steps and professional development, 4) a system for monitoring and supporting the implementation and effectiveness of the plan and 5) an evaluation process.

12.1.b. **County School System Leadership Team** – Each county school system shall have a County School System Leadership Team which is responsible for supporting the continuous improvement of all county schools and for identifying targeted support and assistance to the schools falling below acceptable performance. The County School System Leadership Team members are appointed by the county superintendent, comprised of school and district staff and may include such individuals as distinguished teachers, distinguished principals, special education professionals, Title I professionals, WVDE professionals, RESA professionals, curriculum and instruction professionals, technology integration specialists, and/or data analysis professionals.

12.1.c. The County School System Leadership team shall have the following responsibilities:

12.1.c.1. review all facets of the district and schools' operations, including 1) comprehensive analysis of student performance data, 2) evaluation of school and classroom learning conditions as defined in WVBE Policy 2320 and WVBE Policy 2322, and 3) school and district operational and management efficiency;

12.1.c.2. make recommendations for district-wide improvement priorities and school-specific support and targeted assistance, including assistance for schools falling below acceptable standards of performance;

12.1.c.3. collaboratively develop the Five-Year School System Strategic Plan;

12.1.c.4. continuously monitor the implementation of the Five-Year School System Strategic plan;

12.1.c.5. make additional recommendations concerning assistance needed by the individual school or areas considered as district priorities;

12.2. School Improvement

12.2.a. **Five-Year School Strategic Plan** – Every school must develop and implement The Plan.

The Plan outlines strategies and processes the school will implement to improve student performance and address student needs. The Plan adheres to the following criteria:

12.2.a.1. Prepare through a collaborative process by a school leadership team facilitated by the principal. The leadership team includes members who have the expertise to examine school-wide and classroom practices, analyze student performance data, and determine effective improvement strategies. The team incorporates information from various stakeholders and other school committees and teams and may include representatives from the LSIC, the curriculum team, the technology team, professional learning communities, and parent/community organizations.

12.2.a.2. Addresses at a minimum those areas in the WVDE_on-line strategic plan: 1) core beliefs and mission, 2) improvement goals, 3) a work plan that includes action steps and professional development 4) a system for monitoring and supporting the implementation and effectiveness of activities and 5) an evaluation process. The Plan may include additional areas as established by the local board of education.

12.2.a.3. Predicated on the establishment of high expectations for performance of all students and staff in the school.

12.2.a.4. Aligned with the Five-Year School System Strategic Plan of the school system.

12.2.a.5. Revised annually as indicated by changes in student performance data and/or other information such as monitoring reports, accreditation results, or changes in school conditions.

12.2.a.6. Presented to the county board of education as part of the annual meeting between the LSIC and the county board of education.

12.2.b. The School Leadership Team shall have the following responsibilities:

12.2.b.1. analyze student performance data appropriate to the programmatic level of the school to determine trends and priorities for improvement. This data may include local, state and national summative and formative achievement data including growth data, attendance data, student grades, early warning indicators, graduation rates, wellness information, discipline trends, postsecondary enrollment and preparation data, vocational/technical data, and dropout rates;

12.2.b.2. review all facets of the school's operation, including school and classroom learning conditions and operational/management efficiencies. This includes those areas specified in WVBE Policy 2322 and WVBE Policy 2320 which determine a school's accreditation status: school climate and culture, school leadership practices, student support systems, family and community connections, continuous improvement processes, educator growth and development, standards-based curriculum, standards-based assessment practices, student-center customized learning, developmentally appropriate, engaging and meaningful instruction, safe and productive classroom environment, school facilities, personnel, safety, technology, information system, finance, transportation and other administrative practices;

12.2.b.3. review agency monitoring reports relevant to school improvement priorities such as OEPA review information, Title I monitoring results, special education monitoring results, technology integration issues, and any other reports the improvement team finds helpful to inform deliberation and decision-making;

12.2.b.4. use self-study rubrics, surveys, opinionnaires, focus groups and other tools and

processes, as appropriate, to determine priorities for improvement.;

12.2.b.5. determine, through reflection and self-study, the root causes of deficits in student performance and make recommendations for improvement;

12.2.b.6. collaborate with parents, school staff, county, and the County School System Leadership Team in the identification of school improvement goals, school improvement plan development, plan implementation, and continuous plan monitoring;

12.2.b.7. make additional recommendations to the County School System Leadership Team concerning additional assistance that is needed by the school or the School Leadership Team as the school implements the plan; and

12.2.b.8. collaborate with outside entities such as RESAs, CPD, IHEs and other groups that can build capacity to address student learning needs.

12.2.c. Schools will be selected to receive technical assistance based upon their status with regard to the performance measures and high-quality standards set forth in WVBE Policy 2320 and WVBE Policy 2322.

§126-42-13. Glossary

13.1. Accrued Instructional Time – Instructional time earned during the instructional term from time added to the instructional day beyond the minimum instructional time required by W.Va. 126CSR42, WVBE Policy 2510, Assuring Quality of Education: Regulations for Education Programs.

13.2. Adult Education Program – The education program that addresses the intellectual, physical, social/emotional and career development needs of persons 17 years of age and older who are not enrolled in public school.

13.3. Advanced Career (AC) – The Southern Regional Education Board (SREB) model calls for designing, implementing and continuously improving four courses in a specific career field that ensure it is rigorous enough for students to meet college- and career-readiness standards. Two of the courses are considered foundational and two are more advanced, with the potential for students to earn dual credit.

13.4. Advanced Placement® (AP®) – AP® courses are college-level courses offered in high school that provide students the opportunity to earn credit or advanced standing at most of the nation's colleges and universities.

13.5. Advisory Council – Groups of local employers and other designated stakeholders who provide advice to school districts, multi-county centers and technical program areas on issues relating to career and technical education, including current and future employment needs, standards, curriculum and equipment.

13.6. The Arts – The programs of study for dance, music, theatre, and visual art.

13.7. Career Awareness – The opportunity for students to learn about and develop an appreciation of the broad concepts related to work, career and educational preparation.

13.8. Career Cluster – A broad grouping of related occupations representative of the types of occupations available in the world of work.

13.9. Career Development – The process through which a student comes to understand the world of work.

13.10. Career Exploration – The opportunity within the education program for students to conduct self-assessment, access career information, examine multiple career options and initiate education planning based on a tentative career focus.

13.11. Character Education – An integrated and comprehensive approach to promote an understanding and inspire development of general character traits such as respect, responsibility, caring, citizenship, justice, fairness and trustworthiness. Character education utilizes existing curricula, along with new and existing projects, programs and activities.

13.12. Class Period – A block of time provided for instruction in a course within a program of study.

13.13. Co-curricular Activities – Activities that are closely related to identifiable academic programs and/or areas of study that serve to complement academic and technical curricula.

13.14. College Course – Any course for which college credit is awarded (e.g., dual credit, regular college course).

13.15. Comprehensive School Counseling Program – A program coordinated by a certified school counselor and delivered collaboratively by stakeholders to assist students in achieving academic, personal, and career goals. See WVBE Policy 2315.

13.16. Concentration – A series of courses directly related to a student's chosen career cluster and postsecondary goal. The technical concentrations offered by the school must be aligned with local, state, and national job market opportunities.

13.17. Content Standard – A broad description of knowledge and skills that students are expected to acquire in a content area.

13.18. County Steering Committee – A committee that includes parents and representatives from business, labor, higher education, economic development, local school improvement councils (one member from each programmatic level, Pre-K-5, 6-8, 9-12), faculty senates (one teacher from each programmatic level, Pre-K-5, 6-8, 9-12), students (one from each programmatic level 6-8 and 9-12) and the other organizational entities in the community. These members may be part of the stakeholder group that develops and implements the Five-Year School System Strategic Plan (See Section 12.1.a).

13.19. Course – An area of study defined by approved content standards and objectives. Schools shall provide intervention through a variety of strategies that may include, but are not limited to, restructuring the school day, providing extra tutorial sessions, utilizing appropriate technology, enrolling in distance learning, extending the school day, and/or extending the school year.

13.20. Credit – Recognition given to a student for the successful demonstration of mastery of the approved content standards and objectives at a level established for an approved required or elective high school level course consistent with this policy and W. Va. 126CSR44A-126CSR440, WVBE Policies 2520.1-2520.15, the series that contains approved content standards and objectives for West Virginia schools. Partial credit may also be awarded. The level of mastery shall be in compliance with WVBE Policy 2515. Individual students who demonstrate mastery of the approved content standards and objectives of a particular course must be provided opportunities to progress to the next level. Credit shall

also be granted for documented mastery of high school course requirements by a student prior to grade 9 and for successful completion of a dual credit course.

13.21. Curriculum – The planned interaction of pupils with instructional content, materials, resources, and processes for evaluating the attainment of educational objectives.

13.22. Diploma – Formal documentation and recognition that a student has satisfactorily completed the graduation requirements of the state and county school district.

13.22.a. A Standard Diploma is awarded to all students who have satisfactorily completed the graduation requirements for the state and county school district.

13.22.b. A Modified Diploma is formal documentation and recognition that an eligible student with disabilities, who is unable to meet the graduation requirements for a standard diploma, has met the modified diploma requirements specified on the student's IEP. It is recommended students with disabilities who receive a Modified Diploma participate in general graduation ceremonies with their ninth grade cohort peers. A student receiving a modified diploma may continue his or her education until the student turns 21 years of age, that is, the year in which the student is 21 years of age prior to September. (See Section 5.4.h.1)

13.23. Dual Credit Course – A course that provides students both high school and college credit. Such a course must meet both the specified course content standards and objectives for secondary offerings and the college course requirements.

13.24. Education Program – A structure for defining, delivering, and being accountable for a thorough and efficient system of education. This structure is applicable at the state, county, and school levels.

13.25. Elective Courses – Courses students may choose to study based on need and interest.

13.25.a. Required elective courses must be available to the student sometime during the appropriate programmatic level.

13.25.b. Optional elective courses may be made available by the county board of education, school or other entity based on student need and interest, but they are not required to be made available.

13.26. Eligible Limited English Proficient Students – Those individuals who, in accordance with the requirements of WVBE Policy 2417, have been determined to be LEP and in need of specially designed instruction.

13.27. Eligible Students with Disabilities – Those individuals who have one or more of the disabilities defined in the Individuals with Disabilities Education Improvement Act and WVBE Policy 2419 and who, by reason thereof, need special education and related services.

13.28. Eligible Students with Exceptionalities – Those individuals who are gifted or exceptional gifted as defined in the WVBE Policy 2419 and/or who meet the definition of eligible students with disabilities in this policy and the WVBE Policy 2419 and who, by reason thereof, need special education and related services.

13.29. End-Of-Course Tests (EOC) – Assessments that measure student achievement in a course based on the approved content standards and objectives for each course.

13.30. **Experiential Learning** – Structured, quality work-based, service-based, community-based, and/or research-based learning experiences. These experiences require students to integrate knowledge and skills from academics, CTE, and/or the arts and demonstrate the personal qualities, skills, knowledge, and understandings they need to be local and/or global leaders.

13.31. **Extracurricular Activities** – Activities that are not part of the required instructional day or curricular offerings but are under the supervision of the school. Schools may be used for athletics, non-instructional assemblies, social programs, entertainment and other similar activities. All rules and policies that apply to the instructional day also apply to extracurricular activities. (See W. Va. 126CSR26, WVBE Policy 2436.10: Participant in Extracurricular Activities).

13.32. **Five-Year School Strategic Plan (The Plan)** – A plan that specifies how the school intends to increase student achievement and positively impact other student outcomes. The Plan must be developed and implemented using a continuous improvement process, be based on all available data regarding student achievement and align with the goals of the districts Five-Year School Systems Strategic Plan. (See Sections 7.3.v and 12.2.a.)

13.33. **Five-Year School System Strategic Plan** – A plan that specifies how the county school system intends to strengthen the county education program in order to increase student achievement and positively impact other student outcomes. (See sections 7.2.e and 12.1.a.)

13.34. **Foundation Course** – An elective course that enhances students' skills or provides an introduction to further in-depth studies in a technical concentration. These courses are generally offered at the 9th or 10th grade levels. Examples include technology education, family and consumer science, and business courses taken outside of a business-related major.

13.35. **Grade Level** – The class structure that is used to organize and deliver education within West Virginia public schools. The public school education experience is divided into levels, Pre-K-12.

13.36. **Graduation Requirements** – The number of required and elective units of credit that must be earned by a student in order to be graduated from high school. A diploma is the document that is awarded to a student to verify completion of these graduation requirements. (See Sections 5.4.e and 5.4.h.)

13.37. **High School Credential** – Credentials which may be earned by graduating students. (See Section 5.4.i.)

13.37.a. **College Readiness Credential** – Any student who scores at or above the college readiness benchmarks, as defined by the WV HEPC, shall receive a college readiness credential.

13.37.b. **Work Readiness Credential** – Any student who completes an approved career and technical concentration and obtains a passing score on ACT WorkKeys® assessments shall receive a work readiness credential.

13.38. **Higher Level Course** – A course in the same content area, but at a higher sequential level.

13.39. **Individualized Education Program (IEP)** – A written statement for each eligible student with a disability or is gifted (grades 1-8) and exceptional gifted (grades 9-12) that is developed, reviewed, and revised in accordance with the WVBE Policy 2419.

13.40. **Instructional Day** – Time allocated within the school day for the teaching and mastery of content standards and objectives. The minimum instructional day for grades K-5 is 315 minutes (Pre-K is

14 hours per week), grades 6-8 is 330 minutes, and grades 9-12 is 345 minutes.

13.41. Instructional Practices – The strategies, procedures, methods, techniques and behaviors used by teachers to help students attain mastery of the content standards and objectives of a content area.

13.42. Instructional Term – The period of time from the opening of school to the closing of school. The specific dates for each county's instructional term are set by the county board of education and must include a minimum 180 days of instruction. (See WBE Policy 3234 and W. Va. Code §18-5-45.)

13.43. International Baccalaureate Diploma Program (IB) – A comprehensive two-year international curriculum designed for highly motivated secondary school students aged 16-19. IB is a rigorous pre-university course of study that leads to examinations. IB students generally receive college credit for successful completion of IB courses. The International Baccalaureate Organization has also designed programs for primary and middle school students.

13.44. Intervention – Additional instruction and time, utilizing multiple strategies and assessments, to ensure student mastery of the content standards. The practice of removing students from any required course for intervention is discouraged.

13.45. Learning Skills – The skills of information and communication, critical thinking and problem-solving, personal and workplace productivity skills and proficiency in the use of technology tools. Learning skills enable students to acquire new content knowledge and skills, connect new information to existing knowledge, learn new software programs, and learn new ways of doing things using technology tools.

13.46. Local School Improvement Council (LSIC) – A local advisory group composed of three teachers, three parents, two service employees, the principal, two at-large members appointed by the principal, and one student from a school enrolling students in grade 7 or higher. The LSIC focuses on improving the education program and operation of the school; has authorization to request waivers of local or state rules, policies and state superintendent interpretations; assists in the development of The Plan and can apply for grants and awards.

13.47. More Rigorous Course – A course within the same content area in which the rigor and expectations are higher than the course for which the substitution is being made (e.g., Chemistry in lieu of Conceptual Chemistry).

13.48. Objective – A step or component that describes grade level or course expectations for a content standard.

13.49. Personalized Education Plan (PEP) – A plan developed to guide students and their parent and/or guardian to thoughtfully explore individual interest and aptitude in relation to academic and career planning. Each student's course selections are based on individual career aspirations and postsecondary plans.

13.50. Pre-Kindergarten (Pre-K) – The education program for all four-year-old children and three-year-old children with identified special needs that addresses the growth and development of children in the areas of social/emotional growth, the arts, physical health, language and literacy, mathematics, social studies and science. West Virginia's Pre-K is a readiness system designed to promote the success of children in kindergarten and lifelong learning. (See WVBE Policy 2525.)

13.51. Proficient – Student performance at mastery level or above. The term is used in the

accountability system to designate students who are at an acceptable level of performance on the statewide assessment.

13.52. Program of Study – The selection of courses, when delivered effectively, enables students to master the knowledge and skills needed to succeed in their chosen clusters and concentrations and leads to success in the global workplace and postsecondary education.

13.53. Programmatic Level – A component of the Pre-K-adult educational spectrum that addresses the developmental needs of one age group of students. Programmatic levels described in this document include Early Learning Programs (grades Pre-K-5), Middle Level Programming (grades 6-8), Adolescent Education Programming (grades 9-12), and Adult Education Programs.

13.54. Required Courses – Those courses that all students must complete.

13.55. School Day – The time, inclusive of the instructional day, homeroom, class changes, breaks/recess, lunch, and other non-instructional activities from the first designated assembling of the student body in groups (homeroom or first period) to the dismissal of the student body.

13.56. School Improvement – A continuous process to increase student achievement and positively affect other student outcomes. School improvement builds the capacity of all entities, both state and local, to improve student success.

13.57. Semester – A block of instructional time that is equivalent to at least one-half of the school year. For example, 90 instructional days are equal to a semester in a traditional school term of 180 instructional days.

13.58. Student Assistance Team – A trained school-based team which provides a formalized process for the review of student needs and complements the work of instruction and intervention teams.

13.59. Support for Personalized Learning (SPL) – a multi-tiered system of academic and behavior support which districts and schools can use to ensure every learner is engaged in learning experiences that are relevant to their needs and maximize their growth.

13.60. Technology Integration – The use of technology throughout content areas to help students master the approved content standards and objectives including learning skills and technology tools to develop skills for lifelong learning.

13.61. Technology Plan – The county boards of education must ensure that the schools and counties develop and update school and county technology plans as an integral component of the Five-Year School and School System Strategic Plan. The strategic planning process should ensure that technology is utilized throughout all programs of study and that the implementation meets other state and federal technology requirements.

13.62. Technology Tools – Important 21st century technology tools include information and communication technologies such as computers, networking and other technologies (e.g., probes/sensors and accelerometers, MP3 players, interactive white boards; audio, video, multimedia and other digital tools; access to online learning communities and resources; and aligned digital content software and adequate hardware for all students). Technology tools, when integrated in classroom instruction, enable students to access, manage, integrate and evaluate information across content areas, construct new knowledge and communicate efficiently with others.

13.63. Virtual School – An alternative delivery system for course content. The West Virginia Virtual School was created within the WVDE by the Legislature to provide a variety of high-quality, technologically delivered courses for Pre-K-12 public school students. The Virtual School initiative helps bridge the barriers of time, distance and inequities for all West Virginia students by providing access to resources. The WV Virtual School offers required courses, AP® courses and a variety of elective, enrichment, remediation and information technology courses.

13.64. West Virginia Measures of Academic Progress (WV-MAP) – The comprehensive assessment system for West Virginia that measures student performance.

13.65. West Virginia Report Card – Information provided to parents and the general public on the quality of education in the public schools that is uniform and comparable among schools within and among the various school districts as defined in W. Va. Code §18-2E-4.

13.66. Work Day – Time allocated for the instructional day and other activities such as homeroom, class changes, lunch, planning periods, and staff development that may not exceed eight clock hours.

§126-42-14. Severability

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

APPENDIX A

Assuring the Quality of Education: Regulations for Education Programs (WVBE Policy 2510)

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