



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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12/18/2015 1:12:19 PM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

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

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

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

COMMENTS LIMITED TO
Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Tuesday, January 19, 2016 4:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
**Teresa Hammond
WVDE Office of Early Learning
Capitol Building 6, Room 603
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330**

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

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



Title-Series: 126-149



Rule Id: 10014



Document: 27354



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

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

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

PROVIDE A BRIEF SUMMARY OF YOUR PROPOSAL

The repeal and replacement of the current policy provides new language to establish parameters for professional learning, providing local schools the autonomy to craft their own professional learning experiences based on educator and student need determined by relevant data specific to the school and/or district. This policy also works to establish professional learning plans relevant to the educators personal and professional learning goals as defined in WVBE Policy 5310, Performance Evaluation of School Personnel. An emphasis on the scheduling of professional learning community time during the school day to provide opportunities for personalized learning, as well as collaborative and individual teacher planning, is proposed to elevate student achievement.

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

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

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

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

PRIMARY CONTACT

Office of Early Learning
West Virginia Department of Education
1900 Kanawha Blvd., East, Capitol Building 6
Charleston, STATE ZIP

SECONDARY CONTACT

Virginia Harris
West Virginia Board of Education
1900 Kanawha Blvd., East, Capitol Building 6
Charleston, STATE SECONDARY ZIP SECONDARY

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



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

AGENCY Education

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

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

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

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

No costs or revenue will be impacted by the proposed amendment of W. Va. 126CSR149, Professional Development for West Virginia Educators.

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



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

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

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

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

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

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



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

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

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

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

No costs or revenue will be impacted by the proposed amendment of W. Va. 126CSR149, Professional Development for West Virginia Educators.

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



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

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

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

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

No costs or revenue will be impacted by the proposed amendment of W. Va. 126CSR149, Professional Development for West Virginia Educators.

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

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



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FORM 12 -- BRIEF SUMMARY AND STATEMENT OF CIRCUMSTANCES (Page 1)

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

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

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN RULE AND STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE.

Districts will have more flexibility in the development of their professional learning plans with regard to individual school need based on relevant data. This will provide opportunities to utilize professional learning communities for educators to collaboratively meet to improve school culture, increase professional capacity, and increase student achievement.

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

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



Title-Series: 126-149



Rule Id: 10014



Document: 27354

EXECUTIVE SUMMARY
WEST VIRGINIA DEPARTMENT OF EDUCATION

Policy Number and Title: Policy 5500, Professional Learning for WV Educators

Background: To increase student achievement and provide more local and school control for professional learning experiences that align to the WV Professional Learning Standards and the WVBE Goals for Professional Learning. This cross division initiative involve all offices in the WVDE and external stakeholders to identify key components to support this work. As a result, a repeal and replace professional learning policy revision is provided at this time.

Proposals: A repeal and replace of the current policy provides new language to establish parameters for professional learning, providing local schools the autonomy to craft their own professional learning experiences based on educator and student need determined by relevant data specific to the school and/or district. This policy also works to establish professional learning plans relevant to the educator’s personal and professional learning goals as defined in WVBE Policy 5310 Performance Evaluation of School Personnel. An emphasis on the scheduling of professional learning community time during the school day to provide opportunities for personalized learning, as well as collaborative and individual teacher planning, is proposed to elevate student achievement.

Impact: Districts will have more flexibility in the development of their professional learning plans with regard to individual school need based on relevant data. This will provide opportunities to utilize professional learning communities for educators to collaboratively meet to improve school culture, increase professional capacity, and increase student achievement.

Response to Comments:

Stakeholders

Internal

- Becky Butler
- Nancy Cline
- Trent Danowski
- Monica DellaMea
- Rhonda Fisher
- Patricia Hammer
- Pat Homberg
- Jared Hughes
- Jason Hughes
- Randall Kirk
- Donna Landin
- Stacey Murrell
- Dr. Vaughn Rhudy
- Lori Whitt
- Robert "Joey" Wiseman, Jr.

External

- Joyce Ashworth
- Brenda Clark
- Jeovanna Comer
- Amanda Flora
- Marian Kajfez
- Robin Lewis
- Wendy Lochner
- Brenda Parson
- Judy Pomeroy
- Drexel Sammons
- Tambria Stowers

126CSR149

TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION

SERIES 149
PROFESSIONAL LEARNING FOR WEST VIRGINIA EDUCATORS (5500)

§126-149-1. General.

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

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

1.3. Filing Date – .

1.4. Effective Date – July 1, 2016.

1.5. Repeal of Former Rule – This legislative rule repeals and replaces W. Va. 126CSR149, West Virginia Board of Education (hereinafter WVBE) Policy 5500, Professional Learning for West Virginia Educators, filed July 12, 2013 and effective August 12, 2013.

§126-42-2. Purpose.

2.1. The purpose of this policy is to provide rules that encourage and assist the coordination, development, and evaluation of high-quality professional learning programs for West Virginia educators.

§126-42-3. Goals for Professional Learning.

3.1. The goals for professional learning will be established annually by the WVBE.

§126-149-4. Master Plan for Professional Learning.

4.1. All professional learning providers shall submit their professional learning plans to the WVBE no later than May 1. Upon approval of the WVBE, those professional learning plans shall be compiled into the statewide master plan for professional learning for the upcoming school year.

§126-149-5. General Responsibilities.

5.1. The WVBE has the responsibility to:

5.1.a. develop a comprehensive definition of professional learning;

5.1.b. articulate standards for professional learning;

5.1.c. establish annual goals for professional learning;

5.1.d. develop a master plan to support professional learning that includes the established comprehensive definition of professional learning and the standards for professional learning ; and

5.1.e. conduct an evaluation of the master plan for professional learning to determine the effectiveness, efficiency, and impact of the professional learning.

5.2. The West Virginia Department of Education (hereinafter WVDE) has the primary responsibility for providing leadership in communicating the goals and standards for professional learning within and to the WVDE, the Center for Professional Development, the Regional Educational Service Agencies (hereinafter RESAs), district instructional leaders, and the state's public institutions of higher education educator preparation programs. It is further the responsibility of the WVDE to:

5.2.a. develop guidance, processes, definitions, and protocol resources to support the design and delivery of a comprehensive professional learning process:

5.2.a.1. to assist districts and RESA with the selection, design, implementation, and evaluation of high-quality, professional and personalized learning experiences that maximize funding resources available and adhere to WVBE Goals for Professional Learning and the WV Professional Learning Standards ; and

5.2.a.2. to support participation in required evaluation studies to be submitted to the WVBE, Governor, and the Legislative Oversight Committee on Education Accountability (hereinafter LOCEA); and

5.2.b. develop a systemic approach to provide ongoing assistance for integration of high-quality professional learning experiences:

5.2.b.1. content area expertise and guidance to support program implementation at the RESA level or with district chief instructional leaders;

5.2.b.2. online professional and personalized learning courses and resources that are aligned with requirements leading to educator certification and licensure, endorsement, or professional growth; and

5.2.b.3. educator resources that focus on intentional, data-driven decisions to plan and facilitate personalized, professional learning experiences.

5.3. The RESAs shall assist in the implementation of WVBE policy requirements at the district and school levels through the following important responsibilities:

5.3.a. provide technical assistance to districts to assist with implementation of high-quality, professional and personalized learning experiences aligned to the Standards for Professional Learning in a cycle of continuous improvement;

5.3.b. build capacity among RESA and district staff to ensure sufficient expertise in academic content areas and instructional approaches;

5.3.c. provide high-quality professional learning experiences to facilitate the delivery of high-quality educational programming;

5.3.d. provide technical assistance to schools to coordinate, plan, and use flexible scheduling to permit time for professional and collaborative learning on a consistent weekly/monthly basis;

5.3.e. facilitate coordination and cooperation among district instructional leaders within their respective regions in the design and delivery of ongoing support; and

5.3.f. utilize guidance provided by WVDE for appropriate and effective selection, design, implementation, and evaluation of vendors involved in professional learning.

5.4. It is the responsibility of the district to support, monitor, and ensure the fidelity of the implementation of professional learning experiences that are aligned to WVBE Goals and Standards for Professional Learning.

5.4.a. In carrying out this responsibility, the district plan shall be developed by the Local Staff Development Council (WV Code §18A-3-9) using data from:

5.4.a.1. West Virginia Support for Improving Professional Practice (hereinafter WVSIPP);

5.4.a.2. W. Va. 126CSR142, WVBE Policy 5310, Performance Evaluation of School Personnel

5.4.a.2.A. Professional Teaching Standards.

5.4.a.3. Student data from the West Virginia General Summative Assessment; and

5.4.a.4. Student evidence of learning from utilization of the formative assessment process.

5.4.b. It is further the responsibility of the district to develop and implement a professional and personalized learning plan that includes high-quality professional and personalized learning experiences to support all educators and support personnel in the delivery of high-quality educational programming. The plan should align, be incorporated into, and complement the district's Strategic Plan, specifically the WV Support for Improving Professional Practice Plan ensuring:

5.4.c. It is also the responsibility of the district to ensure:

5.4.c.1. all West Virginia educators have access to high quality professional and personalized learning experiences that focus on individual professional growth of educators, student need based on acquired data, and school-wide goals for professional and personalized learning;

5.4.c.2. educators are engaged in learning with colleagues through a collaborative model to improve individual teaching practice, support student learning, and foster school-wide growth;

5.4.c.3. school-based professional learning communities examine student data to increase student achievement;

5.4.c.4. use of school budgets to support professional and personalized learning;

5.4.c.5. use of flexible and creative scheduling to create time for educators to participate in professional learning communities during the work day; and

5.4.c.6. reduction of the number of large-scale professional development offerings to focus professional learning in individualized and school-based settings.

§126-149-6. Severability.

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

126CSR149

POLICY 5500: PROFESSIONAL LEARNING FOR WEST VIRGINIA EDUCATORS

COMMENT PERIOD ENDS: January 19, 2016

COMMENT RESPONSE FORM

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

The following form is provided to assist those who choose to comment on Policy ####: (Name of Policy). Additional sheets may be attached, if necessary.

Name: _____ Organization: _____

Title: _____

City: _____ State: _____

Please check the box below that best describes your role.

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

| COMMENTS/SUGGESTIONS |
|-----------------------------|
| §126-149-1. General. |
| §126-149-2. Purpose. |

126CSR149

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

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

§126-149-5. General Responsibilities.

§126-149-6. Severability.

Please direct all comments to:

Teresa Hammond
Office of Early Learning
West Virginia Department of Education
Capitol Building 6, Room 603
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330
E-Mail Address: thammond@k12.wv.us
Fax No.: (304) 558-1834.