

WEST VIRGINIA

SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #1

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OFFICE OF WEST VIRGINIA SECRETARY OF STATE

NOTICE OF PUBLIC HEARING ON A PROPOSED RULE

AGENCY: West Virginia Board of Education TITLE NUMBER: 126
RULE TYPE: Legislative; CITE AUTHORITY W.Va. Const., Article XII, §2; W.Va. Code §§18-2-5, 18-2-7a, and 18-2E-5
AMENDMENT TO AN EXISTING RULE: YES X NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 13

TITLE OF RULE BEING AMENDED: Performance Based Accreditation System (2320)

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

DATE OF PUBLIC HEARING: November 12, 1996 TIME: 7:00 p.m.

LOCATION OF PUBLIC HEARING: Independence Jr. High School, Beckley (Sophia); Cabell Midland High School, Huntington; Museum of Culture and History Theater, Charleston; Eastern Greenbrier Jr. High School, Lewisburg; Parkersburg South High School, Parkersburg; Wheeling Park High School, Wheeling; East Fairmont High School, Fairmont; and James Rumsey Technical Institute, Martinsburg

COMMENTS LIMITED TO: ORAL, WRITTEN, BOTH XX

COMMENTS MAY ALSO BE MAILED TO THE FOLLOWING ADDRESS:

Donna K. Edwards, Director
Office of Accreditation and Recognition
WV Department of Education
Building 6, Room 330
1900 Kanawha Blvd., East
Charleston, WV 25305-0330

The Department requests that persons wishing to make comments at the hearing make an effort to submit written comments in order to facilitate the review of these comments.

The issues to be heard shall be limited to the proposed rule.

ATTACH A BRIEF SUMMARY OF YOUR PROPOSAL

Cynthia E. Evans
Cynthia E. Evans
Director, Legal Services

8.60

## West Virginia Board of Education Notification of Public Hearings

**Policies:** 1100 (Guide to Implementation of S.B. 300)  
2510 (Assuring the Quality of Education: Regulations for Education Programs)  
2520 (Instructional Goals and Objectives for West Virginia Schools)  
2340 (Statewide Assessment Program)  
2470 (Use of Technology by Educators and Students)  
2320 (Performance-Based Accreditation System)

**Public Comment Period Ends:** November 15, 1996

**Eight public hearings regarding these policies will be held at 7:00 p.m. on November 12, 1996 at the following locations:**

**Beckley (Sophia):** Independence Junior High School

**Huntington:** Cabell Midland High School

**Charleston:** Museum of Culture and History Theater

**Lewisburg:** Eastern Greenbrier Junior High School

**Parkersburg:** Parkersburg South High School

**Wheeling:** Wheeling Park High School

**Fairmont:** East Fairmont High School

**Martinsburg:** James Rumsey Technical Institute

### **Additional Information About the Hearings:**

- Persons desiring to speak **must sign in** at a hearing location between 6:15 and 6:45 p.m. the night of the hearing. Speakers will not be registered by telephone.
- Speakers will receive a **maximum of five (5) minutes** for their remarks
- Speakers must provide a **written copy** of their remarks to the hearing moderator
- Smoking is **not** permitted at any of the hearing locations

# WEST VIRGINIA DEPARTMENT OF EDUCATION

Dr. Henry R. Marockie, State Superintendent of Schools  
Building 6/1900 Kanawha Blvd. E., Charleston, West Virginia 25307-0330

Phone: 304-558-2681  
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## West Virginia Board of Education

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September 1996



Dear Colleagues:

S.B. 300 provides a unique opportunity to improve student achievement and prepare students for post-secondary education and their eventual entrance into the workplace. To implement the provisions of S.B. 300, a number of educators, parents and interested citizens from around the state have joined with Department of Education staff to revise and update policies. Enclosed for your information and review are copies of those policies. They have been placed on public comment until November 15, 1996 by the West Virginia Board of Education.

On the reverse side of this memorandum is a notice of public hearings on the policies. The hearings will be held in each region of the state on November 12, 1996.

The policies enclosed are:

- Policy 1100.....** Guide to Implementation of S.B. 300. We suggest you review this policy first as it will direct you to the various changes that are being made to implement S.B. 300
- Policy 2510.....** Education Programs. This is the basic policy that defines education in public schools in West Virginia.
- Policy 2520.....** Instructional Goals and Objectives. This policy incorporates by reference the newly-revised instructional goals and objectives for the four core areas of English language arts, mathematics, science and social studies.
- Policy 2340.....** Statewide Assessment Program. This policy details the new statewide assessment program.
- Policy 2470.....** Use of Technology by Educators and Students. This policy provides general rules for the use of technology for instruction and incorporates by reference the statewide technology plan.
- Policy 2320.....** Performance Based Accreditation System. Many of the performance measures and high quality standards have been revised and are incorporated in this policy.

We encourage you to review the policies and submit any comments you may have. Each policy has attached to it a comment form that contains the name and address of the Department staff professional to whom the comments should be sent. We also invite you to attend the public hearing on November 12 closest to you.

Thanks for taking the time to look through the policies. We appreciate the work you do for the children of West Virginia.

A handwritten signature in black ink, appearing to read 'Henry Marockie', written in a cursive style.

Henry Marockie  
State Superintendent of Schools

HM:dav  
1118dav/11a

EXECUTIVE SUMMARY  
WEST VIRGINIA BOARD OF EDUCATION

**POLICY NUMBER AND TITLE:** Policy 2320  
Performance Based Accreditation System

**PUBLIC COMMENT PERIOD ENDS:** November 15, 1996. **ADOPTED:** \_\_\_\_\_

**BACKGROUND**

Senate Bill 300, passed during the 1996 regular session of the West Virginia Legislature, amended and reenacted W.Va. Code §18-2E-5, School accreditation; standards compliance board; approval status; intervention to correct impairments. The legislation requires the State Board, on or before November 1, 1996, to establish high quality standards. The legislation also requires the Board to establish a system that measures the quality of education and preparation of students based on measures of student and school performance.

Policy 2320, Performance Based Accreditation System, was adopted by the State Board in November, 1989. The high quality education standards and measures of student and school performance were first applied to all 55 counties and all schools in West Virginia during the 1989-90 school year and each year thereafter.

**PURPOSE**

The purpose of this policy is to establish the high quality education standards and measures of student and school performance required by Senate Bill 300.

**CONTENT**

The proposed revision of Policy 2320 includes four areas:

1. **Performance Measures** - Performance measures have been added, deleted, or modified according to SB 300. Levels of performance increased are **Achievement, Attendance Rate, and Dropout Rate**.
2. **On-site Review Process** - The on-site review process revision includes emphasis on student and school performance measures, technical assistance, and recognizing exemplary schools.
3. **High Quality Standards** - The high quality standards are added, deleted, or modified according to changes in West Virginia Code and State Board policies.
4. **General Revisions** - General revisions throughout the policy reflect changes in West Virginia Code and State Board policies.

All proposed revisions are indicated by underlines and strike-throughs.

**IMPACT**

The impact of this policy is that higher expectations for student and school performance will lead to improved academic performance.

TITLE 126  
LEGISLATIVE RULE  
~~WEST VIRGINIA BOARD OF EDUCATION~~  
~~CHAPTER 18-2E-5~~

SERIES (13)  
POLICY 2320  
PERFORMANCE BASED ACCREDITATION SYSTEM (2320)

~~Title: Performance Based Accreditation System: High Quality Standards, Annual Performance Measures, Annual Improvement Plan, On-Site Review~~

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§126-Section 13-I. General.

1.1 Scope. ~~These~~ rules establishes the high quality educational standards and annual performance measures that, when met by schools and county school districts boards will provide assurances that a thorough and efficient system of education is being provided for all West Virginia public school students on an equal educational opportunity basis.

1.2 Authority. W.Va. Constitution Article XII, §2; W.Va. Code §§18-2-5; 18-2-7a; and §18-2E-5

1.3 Filing Date. August 26, 1992

1.4 Effective Date. September 26, 1992

1.5 Revision of current rule. Revises Policy 2320; last revised September 26, 1992

~~1.6 Listing of Sections~~

~~Section 1. General~~

~~Section 2. High Quality Standards~~

~~Section 3. Annual Performance Measures~~

~~Section 4. School District County Annual Improvement Plan Process~~

~~Section 5. School Accreditation Status~~

~~Section 6. Serious Impairment~~

~~Section 7. School District Approval~~

~~Section 8. On-Site Reviews~~

~~Section 9. Selection of School Districts and Schools for On-Site Reviews~~  
§126-Section 13-2. Purpose.

2.1. Each school is expected to meet performance measures in the following areas: student performance as measured by a uniform statewide assessment program; school attendance rate; student dropout rate; percent of students promoted to next grade; graduation rate; average class size; pupil-teacher ratio; and number of exceptions to that ratio requested by county boards and the number granted; number of split-grade classrooms; percent of graduates who enrolled in college; percent of graduates who enrolled in other post-secondary education; percent of graduates who become gainfully employed within one year of high school graduation as reported by the graduates on the assessment form attached to their individualized transition plan; pupil-administrator ratio; parent involvement; parent, teacher, and student satisfaction; operating expenditure per pupil; percent of graduates who attain the minimum level of performance in the basic skills recognized by the State Board who grade the distribution in which the minimum level of performance was met; and percent of graduates who received additional certification of their skills, competence and readiness for college, other post-secondary education or employment above the minimum foundation level of basic skills.

§126-Section 13-3. Responsibility.

3.1. The performance measures and high quality standards provide assurance that schools and county boards are making progress in achieving the education goals of the state of West Virginia:

- a. Goal 1. All children entering the first grade will be ready for the first grade;
- b. Goal 2. All students will have equal education opportunity;
- c. Goal 3. Student performance on national measures of student performance will equal or exceed national averages and the performance of students falling in the lowest quartile will improve by fifty percent;
- d. Goal 4. Ninety percent of ninth graders will graduate from high school;
- e. Goal 5. High school graduates will be fully prepared for college, other post-secondary education or gainful employment. The number of high school graduates entering post-secondary education will increase by fifty percent; and
- f. Goal 6. All working age adults will be functionally literate.

3.2 The state board shall annually report to the governor and the legislature the progress toward achieving these goals.

§126-Section 13-34. Annual Performance Measures. Each school is expected to meet performance measures in the following areas: student performance by grade level in the various subjects tested under the Statewide Testing of Educational Progress program; school attendance rate; student dropout rate; the percent of students promoted to next grade and the number of waivers of the promotion standard granted; the graduation rate; average class size; pupil-teacher ratio; number of exceptions to pupil-teacher ratio requested by the county board and the number of exceptions granted; the number of split-grade classrooms; pupil-administrator ratio; and the operating expenditure per pupil. Student performance, school attendance, student dropout rate and graduation rate are weighted more heavily than the other performance measures. Student achievement, attendance, and dropout data are reviewed annually to determine the accreditation status of schools and the approval status of county boards. The remaining performance measures may be reviewed annually or randomly by on-site review teams.

34.1. The student performance is evaluated in the various curricular areas by grade level tested under the statewide testing program. State-County Testing Program results will be reviewed for the most recent three (3) years for which data are available. Scores by grade level in Total Basic Skills will be at or above the 50th percentile, in either two (2) of the three (3) years or the most recent year for which data are available. This measure will not apply in cases where the test is administered in the first months students attend the school i.e., ninth grade scores would not be used in a 9-12 school. A minimum of fifty percent (50%) of the school's students in grades 3 through 11 perform at or above the 3rd quartile in total basic skills; and no more than fifteen percent (15%) of the students perform within the 1st quartile, or the percentage of students performing within the 1st quartile is decreased based on two (2) of the most recent three (3) years. (§18-2E-5 Education Goal 3)

34.2. ~~Student attendance data will be reviewed for the most recent three (3) years for which data are available.~~ The student attendance rate is at or above ninety percent (90%) in either two (2) of the three (3) years or the most recent year for which data are available. 90.5% for the 1997-98 school year; 91.5% for the 1998-99 school year; 92.5% for the 1999-2000 school year; and 93% for the 2000-01 school year and subsequent years. (§18-2E-5; §18-8-1)

34.3. ~~Student dropout data will be reviewed for the most recent three (3) years for which data are available.~~ The maximum student dropout rate is at or below ~~seventeen six~~ percent (17.6%) in; either two (2) of the most recent three (3) years, or in the most recent year for which data are available. The dropout rate is calculated according to the formula of the National Center for Education Statistics. (§18-2E-5)

34.4. ~~Graduation data will be reviewed for the most recent three (3) years for which data are available.~~ The graduation rate is at or above eighty-three percent (83%) in either two (2) of the three (3) years or the most recent year for which data are available. (effective January 1, 1994) By the year 2000, the graduation rate is at or above ninety percent (90%). The graduation rate, adjusted for migration, will be calculated according to the number of ninth graders who remain in school and graduate. (§18-2E-5)

34.5. ~~Students are promoted to the next grade at or above~~ The promotion rate is at or above ninety-two five percent (92.5%) in grades K-8. (effective January 1, 1994) (§18-2E-5)

~~3.6~~ No more than five percent (5%) waivers of the promotion standard are granted in grades K-8. (effective January 1, 1994) (§18-2E-5)

~~34.7~~ 6. ~~An~~ The average class size is 20 or less in kindergarten, and 25 or less in grades 1 through 3, and 25 or less in grades 4 through 6, excluding special education classes, chorus, band and orchestra. (W.Va. Code §18-5-18a)

~~34.8~~ 7. The pupil-teacher ratio shall be ~~is~~ no more than ~~23~~ 20 pupils per teacher in kindergarten, and ~~28~~ 25 pupils per teacher in grades ~~one~~ 1 through 3, and 25 pupils per teacher in grades 4 through 6, excluding chorus, band, and orchestra. Exemption requests to obtain these maximum ratios are waived in schools where the schoolwide pupil-teacher ratio does not exceed 25 to 1 in grades kindergarten through six. Exemptions may be granted to exceed the maximum pupil-teacher ratio may be requested for no more than 3 more pupils per teacher for kindergarten and no more than 3 more pupils per teacher for grades 4 through 6. (W.Va. Code §18-5-18a)

~~34.9~~ 8. The number of split-grade classrooms shall ~~is~~ does not exceed the number that existed as of January 1, 1983. (W.Va. Code §18-5-18a)

~~34.10~~ 9. All schools ~~must be~~ are served by a certified principal. There is a full-time certified principal at each school with a ~~in which the~~ net enrollment that equals or exceeds four hundred ~~one hundred seventy~~ students based on the previous year's 2nd month enrollment report, and ~~no~~ principal is assigned more than two schools. (W.Va. Code §18A-2-9)

~~34.140.~~ Average operating expenditures per pupil are ~~based on the average daily attendance for the current year and are at or above \$2,800~~ the per pupil allocation for the county provided by the state aid formula. (§18-2E-5)

~~34.121.~~ The percentage of graduates enrolled in college, enrolled in other post-secondary education, or fully employed within one year of graduation is ~~eighty-five percent (85%) or above for the year 2000 graduates and ninety percent (90%) or above for each subsequent school year. graduating students entering post-secondary education or training shows an increasing trend during the most recent three (3) years, unless the percentage is already at or above fifty percent (50%).~~ (§18-2E-5)

~~34.132.~~ The level of parent involvement shows an increasing trend during the most recent three (3) years ~~or is at or above sixty percent (60%).~~ (§18-2E-5)

~~34.143.~~ The average combined percentage of parent, teacher, and student satisfaction with the school is at or above ~~sixty seventy-five percent (6075%).~~ (§18-2E-5)

4.14. The percentage of graduates attaining the minimum level of performance (50th percentile) in the basic skills is at or above sixty percent (60%).

4.15. The percentage of graduates attaining the warranty level for post-secondary education (70th percentile) in reading, language, and mathematics is at or above thirty-three percent (33%).

4.16. The percentage of graduates receiving additional certification (as defined in Policy 2510) of their skills, competence and readiness for college, other post-secondary education or employment above the minimum foundation level of basic skills is at or above thirty-five percent (35%) for the 1999-2000 school year and subsequent years.

§126-Section 13-25. High Quality Standards. The West Virginia Board of Education hereby adopts educational standards in the following areas: curriculum; workplace process/workplace; finance; transportation; special education services, alternative education, and other programs; facilities; administrative practices and school community relations; professional development for training of school district county board members and administrators; personnel qualifications; professional development and evaluation; ~~and student and school performance; and safe and disciplined schools.~~ Each county board of education, in order to define its education program, shall establish policies and implement written procedures that reflect the education standards adopted by the West Virginia Board of Education.

~~25.1. Curriculum.~~ Programs of study are arranged so that curriculum, instructional practices, and program instructional materials ensure that all students have equal educational opportunity to acquire the knowledge and skills needed to succeed academically and in the workplace in a competitive changing society; students perform at appropriate developmental levels; and students not performing at appropriate developmental levels are provided remediation services. The standards established in the area of curriculum shall assure that all graduates are prepared for the world of work or for continuing post-secondary education and training.

A. Qualitative Standards

~~25.1.1.~~ The mission and goals of the school provide direction for program planning the school's education program. (Policy 2320 2510)

~~25.1.2.~~ The curriculum reflects the shared commitment of the faculty and the community. (Policy 2320 2510)

~~25.1.3.~~ Instruction is consistent with the school mission. (Policy 5311) The curriculum is based, at a minimum, on the instructional goals and objectives approved by the West Virginia Board of Education. (Policy 2520)

~~25.1.4.~~ Curriculum and instructional practices reflect high expectations for all students. (Policy 2320 2510)

~~5.1.5.~~ A system for classroom instruction and work-based learning experiences is implemented that increases student achievement. (Policy 2510)

~~25.1.56.~~ School administrators and teachers staff foster an climate environment conducive to learning. (Policy 5311 2510)

~~2.1.6~~ Knowledge, skills, and attitudes required for effective written and oral communication, listening, reading, mathematical computation, problem solving and critical thinking in all content areas are developed in students. (Policy 2100)

~~2.1.7~~ Knowledge, skills and attitudes required for understanding world geography, government, social and economic systems and their development are developed in students so they are able to make informed choices. (Policy 2100)

~~2.1.8 Knowledge, skills and attitudes required for applying science and technology in rational decision making and creative problem solving to function successfully in a highly technological society are developed in students. (Policy 2100)~~

~~2.1.9 Knowledge, skills and attitudes required for retrieving, receiving and utilizing information for the benefit of the individual and society are developed in students. (Policy 2100)~~

~~2.1.10 Knowledge, skills and attitudes required for developing positive self-esteem are developed in students. (Policy 2100)~~

~~2.1.11 Knowledge, skills and attitudes required for promoting health, safety and physical fitness and recreation necessary for an active mind and body are developed in students. (Policy 2100)~~

~~2.1.12 Knowledge, skills and attitudes required for understanding of and participating in the creative, visual and performing arts to enrich the quality of life are developed in students. (Policy 2100)~~

~~2.1.13 Knowledge, skills and attitudes required for understanding one's culture and heritage are developed in students. (Policy 2100)~~

~~2.1.14 Knowledge, skills and attitudes required for functioning successfully in advanced academic and/or continuing post-secondary education and training or preparation for gainful employment are developed in students. (Policy 2100)~~

~~2.1.15 Knowledge, skills and attitudes required for developing basic values and ethical principles and applying them to life are developed in students. (Policy 2100)~~

#### B. Quantitative Standards

~~25.1.167. A school curriculum team is required and functioning in grades K-4 at each school to establish the programs and methods for implementing a curriculum. (W.Va. Code §18-5A-6)~~

~~25.1.178. Program guides that include instructional goals and objectives; materials, supply, and equipment lists; and evaluation methods are available and provided to the public upon request; curricular materials, resources, and learning activities reflect instructional goals and are consistent with student developmental levels and achievement. (Policy 2510)~~

~~25.1.189. Instruction is consistent with the programmatic definitions in Policy 2510 and Criteria of Excellence: Instructional Goals and Objectives for General, Vocational and Special Education Programs. (Policy 2510; Policy 2520; Policy 2530; Policy 2540; Policy 2550)~~

~~25.1.190. Instructional priority is given to teaching and learning, and student-engaged classroom instructional time on-task is protected from interruption. (Policy 2510; Policy 2510)~~

~~5.1.11. Students are provided instruction in writing and are expected to write throughout all programs of study. (Policy 2510; Policy 2520)~~

~~25.1.2012.~~ Students have regular daily access to library/educational technology centers or classroom libraries. (Policy ~~2320~~ 2470; Policy 2510)

~~5.1.13.~~ The application of technology is included throughout all programs of study. (Policy 2510; Policy 2520; Policy 2470)

~~25.1.2114.~~ Sufficient numbers of approved up-to-date textbooks, program instructional materials, and other resources are available to deliver curricular content for the full instructional term. (Policy ~~2445.40~~; Policy ~~2445.51~~ 2510)

~~25.1.2215.~~ Compensatory and/or remedial Students not achieving mastery of the instructional goals and objectives are provided reteaching and tutorial services are available to students. (§18-2E-3; Policy ~~2522~~ 2510)

~~5.1.16.~~ Programs of study in art, English language arts, health, mathematics, music, physical education, science, and social studies are provided in grades K-2. The core programs of study (English language arts and mathematics) are taught daily with a reteach component assuring mastery of the instructional objectives. (Policy 2510; Policy 2520)

~~25.1.2317.~~ Required in grades K-4 are: Programs of study in art, English health, language arts, health, mathematics, music, physical education, reading, science, bus/school safety and social studies are provided in grades 3-4. The core programs of study (English language arts, mathematics, social studies, and science) are taught daily with a reteach component ensuring mastery of the instructional objectives. (Policy ~~2413~~; Policy ~~2422.91~~; Policy 2510; Policy ~~4335~~; Policy ~~4336~~ 2520)

~~25.1.2418.~~ Required in grades 5-8 are: Programs of study in art, career exploration (effective fall 1997), English health, language arts, foreign language (effective fall 2002), health, mathematics, music, physical education, reading, developmental reading, science, social studies, library/media and developmental guidance are provided in grades 5-8. The core programs of study (English language arts, mathematics, science, and social studies) are taught daily with a reteach component ensuring mastery of the instructional objectives. (Policy 2510; Policy 2520)

~~2.1.25~~ Choral music and instrumental music are available as electives in grades 6-8. (Policy 2510)

~~25.1.2619.~~ Required in grades 9-12 are: Programs of study in health (1 unit), English language arts (4 units) (or English [3 ½ units] and speech [½ unit]), mathematics (2 units), physical education (1 unit), biology (1 unit), science (1 unit), social studies (3 units), and applied the arts, career majors, or fine or performing arts or and foreign languages (1 unit) are provided in grades 9-12. (effective 1997-98 entering ninth grade class) (Policy ~~2444.01~~; Policy 2510; Policy 2520)

~~25.1.270.~~ Honors and advanced placement education programs are provided in grades 9-12. (W.Va. Code §18-2E-3a; Policy 2510; Policy 2560)

~~25.1.281.~~ The following core and non-core electives are available in grades 9-12 as listed in Policy 2510 (effective 1997-98 entering ninth grade class): art (2 offerings), driver education is available as an elective (1/2 unit), one foreign language (levels I and II), language arts (2 offerings), mathematics (algebra I & II, geometry, trigonometry, general mathematics, and applied mathematics [one offering]), music (instrumental [winds and percussion] and choral), science (general/physical science, chemistry and physics), social studies (one offering), and keyboarding (one offering). Other electives such as calculus, geography and additional social studies electives are offered. (W.Va. Code §18-6-3 to 10; Policy 2444.01; Policy 2510; Policy 2520)

~~5.1.22.~~ Students in grades 5-8 have the opportunity to examine a system of career clusters and to select a career cluster to explore in grades 9 and 10. (effective 1997-98) (Policy 2510)

~~5.1.23.~~ An elective offering must be based on approved West Virginia Board of Education instructional goals and objectives or have written goals and objectives that are approved by the county board. (Policy 2510)

~~5.1.24.~~ Students are provided guidance and advisement sufficient to allow them to choose a career major prior to completion of grade 10. (effective 1997-98) (Policy 2510)

~~25.1.295.~~ The following electives are available in vocational education in grades 9-12: Consumer and Homemaking (STEPS), Adult Roles and Functions, Parenting Education and offerings from four service areas. (Policy 2510; Policy 2530.02) A minimum of fifty percent (50%) of the students in grades K-9 will pass the Presidential Physical Fitness Test at the "national" level for the 2000-2001 school year and subsequent years.

~~5.1.26.~~ Work-based learning experiences are provided for all students during at least one year in grades 11-12. (effective 1997-98) (Policy 2510)

~~5.1.27.~~ Multicultural education is taught at each programmatic level. K-4, 5-8, and 9-12 with an emphasis on prevention and zero tolerance for racial, sexual, religious/ethnic harassment or violence. (Policy 2421)

~~25.1.3028.~~ Instructional time allocations are as follows: 158 minutes, 180 days for kindergarten; 315 minutes, 180 days for grades 1-4; 330 minutes, 180 days for grades 5-8 and 345 minutes, 180 days for grades 9-12. An instructional day is provided that includes a minimum of 330 minutes for kindergarten and grades 1 through 4; 345 minutes for grades 5 through 8; and 360 minutes for grades 9 through 12. (Policy 2510)

~~25.2.~~ Finance. Resource allocations are made that assure ensure that all students are provided equal educational opportunities through qualified personnel; safe, efficient, and adequate facilities and transportation services; and adequate instructional materials, supplies, and equipment.

A: Qualitative Standards

~~2.2.1.~~ The school district's fiscal decisions are consistent with its mission and goals. (Policy 2320)

5.2.1. The county board's Unified Improvement Plan combines the system's financial resources and targets them toward the state and county education goals and the goals of the county's schools. (Policy 2510)

5.2.2. The school's Unified Improvement Plan combines the school's financial resources and targets them toward the state, county, and school education goals. (Policy 2510)

B: Quantitative Standards

25.2.23. The school district's county board's accounting practices are consistent with state policies and procedures. (W.Va. Code §§18-9B-9, 10,11; and 18-4-10; Policy 8100)

25.2.34. Individual school accounting practices are consistent with state policies and procedures. (Policy 1224.1; Policy 2320; Policy 8100)

25.2.45. The faculty senate monitors the funds allocated to individual classroom teachers and librarians from legislative appropriations. The remainder of the funds are expended in accordance with a budget approved and monitored by the faculty senate. (W. Va. Code §18-5A-5)

25.3. Transportation. Adequate transportation services are provided in a safe and efficient manner to assure that all students are provided the opportunity for an equal education within, wherever possible, the recommended time guidelines in Policy 6200.

A: Qualitative Standards

25.3.1. The school district county board provides safe transportation and special transportation services for eligible students. (Policy 2419; Policy 4334; Policy 4335)

B: Quantitative Standards

25.3.2. Transportation is provided so that students receive attend the full instructional time allocations day. (Policy 2419; Policy 2510)

25.4. Special Education Services, Alternative Education, and Other Programs. Special education services, alternative education, and other programs are provided that meet the education needs of students through comparable programs of study, support programs, personnel, facilities, instructional materials and equipment.

A: Qualitative Standards

25.4.1. Special education services, alternative education, and other programs have adequate space and are appropriately located to meet the needs of the students. (Policy 2320 2418; Policy 2419)

B: Quantitative Standards

5.4.2. Alternative education programs meet the requirements of Policy 2418. (W.Va. Code §§18-2-6 and 18-5-19; Policy 2418)

~~25.4.23.~~ Special education services and other program monitoring results have been reviewed, and citations have been corrected or an approved plan exists for correction. (Policy 2419)

~~25.5.~~ Facilities. School facilities are safe and meet the needs of students in an efficient and economical manner.

A. Qualitative Standards

~~25.5.1.~~ Facilities provide an environment conducive to learning. (Policy ~~5311~~ 2510; Policy 6200)

~~25.5.2.~~ Facilities are adequate to provide the minimum education program required in Policies 2510 and 2520. (Policy 2510; Policy 2520)

B. Quantitative Standards

~~25.5.23.~~ Fire marshal, ~~Board of Risk~~ and health department citations have been corrected or a plan exists for correction. ( W.Va. Code §§18-3-9a; §18-10F-1 to 5; §29-3-5; and §29-12-5a)

~~25.5.34.~~ Buildings, grounds, furnishings and equipment are free from observable safety hazards. (W.Va. Code §18-5-9; Policy 6200)

~~25.5.45.~~ Buildings, grounds, furnishings, programs and equipment are accessible to handicapped students with disabilities. (~~§18-10F-3;~~ Section 504, Rehabilitation Act; Policy 6200)

~~25.6.~~ Administrative Practices and School-Community Relations. Schools administrators, communities, and local businesses develop collaborative partnerships that support teaching and learning to ensure that schools deliver a high quality education program and are centers for lifelong learning.

A. Qualitative Standards

~~25.6.1.~~ The administrative leader superintendent and/or principal ensures that formal and informal mechanisms exist for communication within the school district county, the school, and the community. (Policy ~~2320~~ 2510; Policy ~~5312~~)

~~25.6.2.~~ The school district county board meets at least once a year with local school improvement councils and ~~of education~~ considers recommendations and unified school improvement plans from the local school improvement councils in decision making. (W.Va. Code §18-5A-2)

~~25.6.3.~~ Community resources are utilized to enrich the school program ~~The county and each school conduct a technology needs assessment and develop county and school technology plans to improve instruction.~~ (Policy ~~2320~~ 2510)

~~25.6.4.~~ Staff members provide parents with information and techniques, ~~when appropriate,~~ for helping students learn. (Policy ~~5312~~ 2510)

~~25.6.5.~~ Health services are provided to all students to maximize learning potential. (W.Va. Code §§16-3-4, 4a; §18-5-17; and §18-5-22)

~~5.6.6.~~ An attendance director is employed to ensure regular school attendance. (W.Va. Code §18-8-1a and 3; Policy 2510)

~~25.6.67.~~ The school and county report cards are disseminated so parents, teachers, administrators and the community are aware of the quality of public education. (W.Va. Code §18-2E-4; Policy 7300)

~~2.6.7~~ Media representatives are notified of school district and school activities. (Policy 2320)

~~25.6.8.~~ Decisions by teachers, principals, and administrators are based upon current student data and the best instructional practices. (Policy 2320 2510)

~~25.6.9.~~ School district County and school programs involve members of the community and/or businesses as active partners in the education process. (Policy 2320 2510)

~~5.6.10.~~ A county steering committee is established and functioning. (Policy 2510)

B: ~~Quantitative Standards~~

~~5.6.11.~~ A full day, everyday kindergarten program is in place or a waiver has been granted by the state superintendent. (W.Va. Code §18-5-18)

~~25.6.102.~~ The school provides meals which that meet or exceed the minimum standards established by federal regulations and state board policies Policy 4320. (P.L. 95-166; 7CFR 210, 220; W.Va. Code §18-5-37; Policy 4320)

~~25.6.113.~~ A local school improvement council is established and functioning at the each school. (W.Va. Code §18-5A-2)

~~25.6.124.~~ A faculty senate which is comprised of all permanent, full-time professional educators employed at the school is established and functioning at the each school. (W.Va. Code §18-5A-5)

~~2.6.13~~ The county implements a policy governing disciplinary procedures, policies governing student due process rights and nondiscrimination, and an approved substance abuse policy. (§18A-5-1, 1a; §18-8-8; Policy 2422.5; Policy 4370; Policy 2320)

~~25.6.145.~~ The school district county and schools implements the code of conduct for students and the code of conduct for employees. (W.Va. Code §18-2E-5; Policy 4373; Policy 5902)

~~25.6.156.~~ Teachers are provided a duty-free planning period that is the length of the usual class period and is not less than thirty minutes. (W.Va. Code §18A-4-14)

~~25.6.167.~~ Teachers and service personnel are provided a duty-free lunch period. (W.Va. Code §18A-4-14)

~~25.6.178.~~ Test security measures are in place for mandated statewide testing. (Policy 2340)

~~25.6.189.~~ All enrolled students in the school participate are included in the ~~State-County Testing Program~~ that includes norm-referenced assessments at grades K-11, the ~~Work Keys at grade 12, Explore at grade 8, and the writing assessment at grades 4, 7, and 10, and the West Virginia Statewide Testing of Educational Progress;~~ except special education students whose individualized education plan program specifies that the student shall be excluded from the statewide testing program. (Policy 2340; Policy 2419; ~~§18-2E-2~~)

~~25.6.19~~ The percent of students failing to meet state score standards on the WV-STEP in each grade tested is communicated to parents. (~~§18-2E-2; §18-2E-3~~)

~~25.6.20.~~ The school district county board develops a mission statement and long-range goals which that are aligned with state goals, and its implements education programs are designed to implement meet the goals. (Policy ~~2320~~ 2510)

~~25.6.21.~~ A certificate of proficiency, or an electronic portfolio when available, is issued to each graduating senior. (Policy ~~2444.2~~ 2510)

~~25.6.22.~~ A skill improvement class program in the areas of reading, English language arts, and mathematics is provided beginning at grade 9 is available for all grade 9 and 11 students scoring performing below the county determined level of proficiency 50th percentile on the state-wide standardized test assessment. (Policy ~~2444.2~~ 2510)

~~25.6.23.~~ A county warranty seal, stamp, or other appropriate symbol is awarded to ~~All~~ graduating seniors who have attained achieved at least a fiftieth percentile proficiency level in reading, English language arts, and mathematics on the statewide standardized test at the 11th grade level. A county warranty is awarded to all graduates who have achieved a proficiency level for post-secondary education of at least the seventieth percentile in reading, English language arts, and mathematics on the statewide standardized test at the 11th grade level. the required level of proficiency must have a warranty symbol attached to the certificate of proficiency. (Policy 2444.2 2510) (effective school year 1994-95)

~~25.7. Professional Development for Training School District County Board Members and Administrators.~~ Professional development Training programs for school district county board members and administrators support the county educational program and contribute to improved job performance by including process to assure that they are provided activities related to managerial and instructional leadership board membership and governance effectiveness.

#### A. Qualitative Standards

~~25.7.1.~~ Training is Professional development activities are designed to enhance board members' and administrators' leadership and support understanding of the education process and its programs and to develop leadership skills emphasize current educational research, philosophy and methodology. (Policy ~~2320; Policy 5312~~)

B. Quantitative Standards

~~25.7.2. Members of a school district County board of education members whose terms of office commence after May 8, 1990, except for persons elected or appointed to fill terms that expire on midnight June 30, 1990, receive annually a minimum of seven hours of professional development through the West Virginia School Boards Association or other organizations approved by the state board, training annually in appropriate areas of board membership to includeing effective board service, effective personnel relations/development, policy development, school finance, curriculum and instruction programs practices, school law, communication, and effective community relations, and leadership. (W.Va. Code §§18-2E-4 and 5 and 18-5-1a)~~

~~25.7.3. Members of a school district county board of education elected after July 1, 1990, shall attend and complete an course of orientation relating to board membership and governance, unless they took office prior to July 1, 1988, and have served continuously therefrom. (W.Va. Code §18-5-1a)~~

~~2.7.4 Training is provided by the West Virginia School Boards Association or other organizations approved by the state board of education whose program or programs satisfy high quality training standards. (Policy 2320)~~

~~2.7.5 School district administrators participate in at least seven hours of professional development annually to include activities related to both managerial and instructional leadership skills. (Policy 2320)~~

~~25.8. Personnel Qualifications. Qualified personnel are employed to provide equal educational opportunities for all students, assure student academic performance, and contribute to school success. County boards shall: employ personnel who have the ability to deliver high quality programs and services to all public school students to ensure academic success; implement employment and assignment practices that conform with State Code and state board policy; and promote the development of human resources.~~

A. Qualitative Standards

~~25.8.1. Staff maintain and upgrade their skills. (Policy 5311) County boards employ the most qualified applicant to ensure student academic success. (W.Va. Code §§18A-4-7a and 8)~~

~~2.8.2 Staff maintain professional work habits. (Policy 5311)~~

B. Quantitative Standards

~~25.8.2. Professional educators have a are licensed for their assignments the subjects they teach or the positions they hold. (W.Va. Code §18A-3-+2; Policy 5202)~~

~~5.8.3. Other professional employees required to be licensed under state board policy are licensed for their assignments. (Policy 5202)~~

~~25.8.4. Service personnel meet minimum qualifications for their classifications and assignments. (W.Va. Code §18A-4-8)~~

5.8.5. Personnel providing supervision or services to students engaged in extracurricular activities meet the qualifications for their assignments. (W.Va. Code §18A-3-2a; Policy 5202)

25.9. Professional Development and Evaluation. School personnel improve their knowledge and skills job performance to help ensure that each student succeeds ensure the delivery of high quality programs and services that promote the success of all students.

A. Qualitative Standards

25.9.1. Professional development activities are designed to meet the identified needs of professional and service personnel by upgrading their knowledge and skills. (Policy 2421; Policy 2422.4; Policy 5500)

25.9.2. The school personnel evaluation process system for school personnel is designed to provides for the improvement of job performance, personnel competency, promotes professional growth and development of teachers, to enhance classroom performance and to serves as a basis for employment decisions. (Policy 5310; Policy 5314)

25.9.3. Excellence in teaching, support personnel services, administration, and school-related services is acknowledged through a recognition process which enhances professional performance programs at the county or school level. (Policy 2320 2510)

B. Quantitative Standards

25.9.4. The administrative leader provides opportunities for job-related professional development programs that enhance staff expertise, include an evaluation component and offer appropriate follow-up activities. Regional Education Service Agencies may provide the training county board administers and implements a staff development program for professional educators and service personnel that conforms with State Code, state board policies, and county board policies. (Policy 2320 W.Va. Code §18A-3-8; Policy 5500)

25.9.5. The school or school district develops and implements a beginning educator induction program. (Policy 5900) County board administrators annually complete at least seven of the required eighteen hours of staff development in activities related to leadership.

25.9.6. Professional and service personnel are observed regularly and evaluated in accordance with state and county policies and the evaluation is properly filed in the personnel files. (Policy 5310-15) All principals meet the requirements for training through the principals' academy. (W.Va. Code §18A-3-2c; Policy 2510; Policy 5500.03)

5.9.7. The county board develops and implements a beginning educator induction program and a beginning principal internship program. (W.Va. Code §18A-3-2d; Policy 5899; Policy 5900)

5.9.8. The county board adopts and implements an evaluation policy for professional and service personnel that is in accordance with State Code, state board policy, and county policy. (W.Va. Code §18A-2-12; Policy 5310; Policy 5314)

5.9.9. The county board conducts orientation meetings for all teachers who will be using newly adopted instructional materials. (Policy 2510)

25.10. Student and School Performance. The school's education program ensures that: students are taught at developmentally appropriate levels; provided the opportunity to advance to their potential; and will graduate with the knowledge and skills needed to succeed in a competitive, changing society.

A. Qualitative Standards

2.10.1 School rules and procedures are written and clearly communicated to students, parents, and staff. (Policy 2510)

5.10.1. The county develops and implements a policy for grading. (Policy 2510)

25.10.2. A formal written Unified School Improvement process Plan is established, and implemented, and reviewed annually. (Policy 2510)

2.10.3 Individual differences are respected so that each student feels valued. (Policy 2320)

25.10.43. Staff believe that all students can learn and develop multiple strategies for teaching them demonstrate the use of the various instructional strategies and techniques contained in Policies 2510 and 2520. (Policy 5311 2510; Policy 2520)

25.10.54. Staff exhibit demonstrate high expectations for each student. (Policy 5311 2510)

B. Quantitative Standards

25.10.65. School personnel assess students' progress toward mastering subject content and develop strategies for provide reteaching and enrichment opportunities for all students including honors and advanced placement, remediation, and acceleration as well as for correcting and remediating deficiencies. (Policy 2510; Policy 5311)

25.10.76. School counselors spend at least seventy-five percent (75%) of their time assisting students through individual or group counseling, developmental guidance, academic planning, and career counseling. (W.Va. Code §18-5-18b; Policy 2315)

25.10.87. Four Five year education two part individualized student transition plans, covering grades nine through twelve and the first year after graduation from high school, are prepared and on file for students grades 9-11 effective 1992-93 and grades 9-12 effective 1993-94. (W.Va. Code §18-2E-3b 8; Policy 2443 2510)

25.10.98. All students have equal educational opportunities. (Policy 2320 2510)

~~25.10.109.~~ Lesson plans are prepared in advance and the ~~administrative leader or designee~~ principal reviews and comments on them at least once each semester. (Policy ~~2320~~; Policy 2510)

~~25.10.110.~~ The ~~administrative leader or designee~~ principal observes teacher and student performance in the visits classrooms and gives provides feedback and recommendations for improvement at least once each semester to ~~teachers regarding their instructional techniques.~~ (Policy ~~2320~~ 5300)

~~25.10.121.~~ Summaries of student pPerformance data are developed, ~~item-analyzed and reviewed over time to check for trends~~ analyzed prior to the start of the school term and used to improve student achievement. The summaries are utilized to plan curricular and instructional modifications. (Policy ~~2320~~ 2510)

5.10.12. The percentage of students passing the advanced placement examination meets or exceeds the national level or increases annually. (Policy 2520)

5.10.13. The county, school, and teacher have a system for analyzing, interpreting, and using student performance data to identify and assist students who are not at grade level in achieving approved state and local instructional goals and objectives. (Policy 2510)

25.10.134. Students at risk of academic difficulties and or disruptive behavior are identified and receive sustained intervention services. (Policy ~~2320~~ 2510)

5.10.15. A system to monitor the dropout rate is in place and, when appropriate, a plan is implemented to decrease the student dropout rate. (Policy 2510)

5.10.16. A Student Assistance Team is established and functioning. (Policy 2510)

5.10.17. The county sends each student an assessment form in the first year following graduation. The data from the assessment are used for curriculum and instructional modification. (effective 2002) (Policy 2510)

5.11. Safe and Disciplined Schools. The county and school maintain a safe and disciplined learning environment that ensures the physical, social, and emotional well being of students.

5.11.1. School rules, procedures, and expectations are written and clearly communicated to students, parents, and staff. (Policy 2510)

5.11.2. Individual differences are respected so that each student feels valued. (Policy 2510)

5.11.3. A preventive discipline program that may include the responsible students' program and a student involvement program that may include a peer mediation program are in place. (W.Va. Code §18-5A-2)

5.11.4. A countywide safe school plan is implemented in each school. (W.Va. Code §18-5A-2)

5.11.5. The county has implemented: a policy governing disciplinary procedures; policies governing student due process rights and nondiscrimination; and an approved policy on tobacco use and one on substance abuse. (W.Va. Code §§18A-5-1 and 18-8-8; Policy 2422.5; Policy 2422.5A; Policy 4370)

5.11.6. The county and schools implement the Racial, Sexual, Religious/Ethnic Harassment and Violence policy. (Policy 2421)

§126-Section 13-46. School District County Annual Improvement Plan Process.

~~46.1. Each school district county completes and submits an annual a Unified Improvement Plan to the West Virginia Department of Education by June 30 November 1, 1997, and an update each year thereafter. This plan is based on locally identified needs which and include individual school performance data and both a qualitative and quantitative assessment of school and district compliance with high quality standards outlines plans for meeting high quality standards and performance measures that have not been met.~~

~~46.2. The school performance level is applied to the school population as a whole. Each school completes a Unified School Improvement Plan by November 1, 1997, and annually submits to the West Virginia Department of Education a checklist indicating compliance with the high quality standards and performance measures and specific plans to meet standards and performance measures not met. These plans are to be included in the Unified School Improvement Plan.~~

~~46.3. The annual county unified plan and the individual school improvement plans is a are self-assessments of a school district the county and individual school's compliance with the high quality educational standards and performance measures established by the West Virginia State Board of Education. It They serves to indicate the district's county's and individual school's intent to comply with the high quality standards and annual performance measures.~~

~~4.4 If performance and high quality standards are not met, the plan must include a section describing how and when compliance will be attained.~~

~~4.5 The format of the district plan is in accord with directions provided by the state superintendent of schools and the mission statement of the state board.~~

~~6.4. The county superintendent and board president for the county unified plan, and each school's principal for the annual school checklist, shall sign a statement acknowledging that the information submitted is accurate in accordance with W.Va. Code §18-2E-6. Falsification of the information contained in the annual school checklist shall result in the administrative leader's certificate being revoked.~~

~~4.6 The school district annual improvement plan is reviewed by the West Virginia Department of Education whose staff recommends to the state superintendent of schools and the West Virginia Board of Education an approval status for the school district and an accreditation status for each school within the district. The status is determined by the annual performance measures and the results of an on-site review, if applicable.~~

~~6.5. Periodic, random, and unannounced on-site review teams assess the county's and schools' compliance with the high quality standards and performance measures. The teams will review effectiveness of the schools' Unified School Improvement Plans.~~

§126-Section 13-57. School Accreditation Status.

57.1. The information submitted for each school shall be reviewed annually by the department of education staff, and the West Virginia Board of Education shall issue every school ~~shall be issued~~ one of the following: (1) full accreditation status, (2) probationary accreditation status or (3) seriously impaired status.

57.2. Full accreditation status shall be issued to a school when the measure of the school's student and school performance is at a level ~~which~~ that meets the high quality educational standards ~~in WV Code, §18-2E-5(b) and the annual performance measures in WV Code 18-2E-5(e)~~ this policy. The school and school district must also meet the high quality standards in finance, transportation, special education and other programs, and facilities. ~~If the high quality standards are not met in these areas, the school district must submit an improvement plan to correct the deficiencies. Failure to meet the timelines in the improvement plan shall result in probationary status for the school and school district.~~

57.3. Probationary accreditation status shall be issued to a school when the measure of the school's performance is below established standards and performance measures.

57.43.1. Whenever a school is issued probationary accreditation status, the ~~district~~ county board shall ensure that the school's Unified School Improvement Plan ~~implement an improvement plan which is designed~~ revised to increase the performance of the school to a full accreditation status level within one year. The plan shall include objectives, a timeline, and cost estimates for achieving full accreditation status. If an acceptable plan is presented to the West Virginia Department of Education, the ~~district~~ county shall have twelve (12) calendar months to implement the revised Unified School Improvement Plan for compliance.

57.53.2. If the revised Unified School Improvement Plan submitted to the West Virginia Department of Education is not acceptable, the state superintendent may return the ~~school district~~ plan to the county board for modification ~~or has discretion to~~ may modify the plan in consultation with the ~~school district~~ county board and accept the plan as modified.

57.64. ~~Seriously impaired~~ status shall be issued to a school when the measure(s) of the school's performance ~~is/are~~ below the established performance measures or the ~~state superintendent and the West Virginia State Board of Education~~ may determine ~~that a school to be seriously impaired when extraordinary circumstances exist.~~

§126-Section 13-68. Seriously Impaired Status. A school shall be considered to be seriously impaired by the state superintendent and the West Virginia State Board of Education when one or more of the following conditions exist:

~~68.1. Student performance is evaluated in the various curricular areas by grade level tested under the statewide testing program. State County Testing Program results will be reviewed for the most recent three (3) years for which data are available. Scores by grade level in The Total Basic Skills score for one or more grade levels in grades 3 through 11; that are is at or below the 30th percentile in the most recent year for which data are available and one (1) of the two (2) preceding years results in a school being determined as seriously impaired. This measure will not apply in cases where the test is administered in the first months students attend the school i.e., ninth grade scores would not be used in a 9-12 school. (§18-2E-5)~~

~~68.2. Student attendance data will be reviewed for the most recent three (3) years for which data are available. A The student attendance rate is at or below eighty percent (80%) in the most recent year for which data are available and one (1) of the two (2) preceding years results in a school being determined as seriously impaired. (§18-2E-5; §18-8-1)~~

~~68.3. Student dropout data will be reviewed for the most recent three (3) years for which data are available. A The student dropout rate is at or above twenty-five nine percent (259%) in the most recent year for which data are available and one of the two (2) preceding years results in a school being determined as seriously impaired. The dropout rate is calculated according to the formula of the National Center for Education Statistics. (§18-2E-5)~~

~~68.4. Graduation data will be reviewed for the most recent three (3) years for which data are available. A graduation rate at or below seventy-five percent (75%) in the most recent year for which data are available and one of the two (2) preceding years results in a school being determined as seriously impaired. The school falls below the criteria for full accreditation in all three of the following performance measures: 4.1. student achievement; 4.2. student attendance; and 4.3. student dropout. (effective January 1, 1994) (§18-2E-5)~~

68.5. The state superintendent and the West Virginia Board of Education may determine a school to be seriously impaired when extraordinary circumstances exist. Extraordinary circumstances are conditions that constitute major impediments to the provision of educational programs and services for students. Extraordinary circumstances may include the following: failure of a school issued probationary status to improve its status; physical or other abuse of students; high student retention rate; inappropriate suspensions and/or expulsions; misappropriation of funds; misuse of public funds; falsification of reports and/or failure to submit required reports; violation of State Code and state board policies which that impacts the provision of an appropriate educational program; unhealthy or unsafe conditions for students and/or employees; or failure to provide a high quality and equal educational opportunity for students. (Policy 1340)

68.5.1. When a school is seriously impaired, the state superintendent, with the approval of the state board West Virginia Board of Education, shall appoint a team of three improvement consultants to make recommendations within sixty days for correction of the impairment.

68.5.2. Upon approval of the recommendations by the state board West Virginia Board of Education, the recommendations shall be made in writing to the district county board of education ~~in writing~~. If progress in correcting the impairment is not made within six months of receipt of the recommendations, the state superintendent shall provide consultation and assistance to the ~~district board~~ county board to (1) improve personnel management, (2) establish more efficient financial management practices, (3) improve instructional programs and policies, or (4) make such other improvements as may be necessary to correct the impairment.

68.5.3. If the school's impairment is not corrected within one year of receipt of the recommendations, the ~~district~~ county shall be issued nonapproval status.

68.5.4. Whenever a school is issued probationary status or is determined to be seriously impaired and fails to improve its status within one year, any student attending such school may transfer once to the nearest fully accredited school, subject to approval of the fully accredited school and at the expense of the school from which the student transferred.

§126-Section 13-79. School District County Approval.

79.1. A ~~district board county of education~~ receives an approval status upon recommendation by the ~~department of education staff to the state superintendent of schools and to~~ the state West Virginia Board of Education. The state West Virginia Board of Education shall issue one of the following accreditation levels to each ~~school district county board of education~~: (1) full approval, (2) conditional approval, (3) probationary approval, or (4) nonapproval.

79.2. Full approval shall be issued to a ~~district county board~~ whose educational system meets or exceeds all of the high quality educational standards adopted by the state West Virginia Board of Education and whose schools were issued full accreditation status. Full approval is for a period not to exceed four years.

79.3. Conditional approval shall be issued to a ~~district county board of education~~ whose educational system meets at least ninety-five percent (95%) of the high quality standards and in which at least ninety percent (90%) of the schools have been issued full accreditation status provided no school is seriously impaired. Counties that have fewer than ten (10) schools may be granted conditional approval status without regard to the ninety percent rule; based on the total quality of the county educational program. To be eligible for conditional approval status, counties with fewer than ten (10) schools shall have no more than one (1) school on probationary accreditation status and no school shall be seriously impaired. ~~Conditional approval is for a period not to exceed one year.~~

79.4. Probationary approval shall be issued to a ~~district county board of education~~ whose educational system has met fewer than ninety-five percent (95%) of the high quality standards or ~~which has in which~~ eleven percent (11%) or more schools have been issued probationary or seriously impaired status.

79.5. If the high quality standards and annual performance measures are not met within one year from the date the probationary approval is issued to a county during the succeeding year, the schools within the county must reach the level of full accreditation status or the county district board shall be automatically issued nonapproval. Nonapproval is also issued to a district county board of education which that fails to submit an a annual improvement County Unified pPlan or fails to demonstrate a reasonable effort to meet the high quality standards. A "reasonable effort" is defined as meeting the objectives and timelines specified in the improvement County Unified pPlan.

79.6. The ~~state superintendent and the West Virginia Board of Education~~ may confer nonapproval status on ~~determine a school district county to be on nonapproval status~~ when extraordinary circumstances exist. Extraordinary circumstances are conditions that constitute major impediments to the provision of educational programs and services for students. Extraordinary circumstances may include: misappropriation of funds; misuse of funds; a casual deficit for two (2) or more years; a budget deficit above three (3) percent for any one year; falsification of reports and/or failure to submit required reports; violation of State Code and or state West Virginia Board of Education policies which that impacts the provision of an appropriate educational program; unhealthy or unsafe conditions for students and/or employees; or failure to provide a high quality and equal educational opportunity for students. (Policy 1340)

~~79.76.1~~. Whenever nonapproval status is issued to a ~~district county~~, the state ~~West Virginia~~ ~~Board of~~ ~~Education~~ shall declare a state of emergency in the ~~district county~~ by written notification and may intervene in the operation of the ~~district county~~. The West Virginia Board of Education may intervene in the operation of the county board to: (1) limit the authority of the county superintendent and county systems as to the expenditure of funds, the employment and dismissal of personnel, the establishment and operation of the school calendar, the establishment of instructional programs and rules and such other areas as may be designated by the West Virginia Board of Education by rule; (2) take such direct action as may be necessary to correct the impairment; and (3) declare that the office of the county superintendent is vacant. (W.Va. Code §18-2E-5(g))

~~79.86.2~~. Nonapproval and intervention are not required if probationary or seriously impaired status schools improve the level of performance ~~thirty-three percent (33%) or more of the difference between current performance and performance for full approval during the succeeding year~~. Deferral of intervention in ~~districts counties~~ with probationary or seriously impaired status schools ~~may be continued for a maximum of three (3) years~~ shall be determined by the state superintendent and the West Virginia Board of Education.

~~7.9~~ The state board may intervene in the operation of the district to: ~~(1) limit the authority of the district superintendent and district board of education as to the expenditure of funds, the employment and dismissal of personnel, the establishment and operation of the school calendar, the establishment of instructional programs and policies and such other areas as may be designated by the state board rule; (2) take such direct action as may be necessary to correct the impairment; and (3) declare that the office of the district superintendent is vacant.~~

§126-Section 13-810. On-Site Reviews.

~~§10.1.~~ To assist the state West Virginia ~~b~~Board of ~~e~~Education in ~~determination of determining~~ the accreditation status of schools and the approval status of ~~school districts~~ county boards, the state ~~b~~Board shall appoint ~~an~~ educational standards compliance review teams to make ~~unannounced~~ on-site reviews of the educational programs in any school or ~~school district~~ county in the state to assess compliance of the school or ~~district~~ county with the high quality educational standards and performance measures adopted by the state West Virginia ~~b~~Board of Education.

~~§.2~~ High quality educational standards including curriculum, facilities, administrative procedures, transportation, food services, and an audit of all matters relating to school finance, budgeting and administration will be reviewed.

~~§.3~~ The teams also shall verify measures of performance and other areas as deemed necessary.

~~§10.42.~~ The teams shall be composed of ~~not~~ no more than ten persons, not more than half of whom may be members of or currently employed by the state West Virginia ~~b~~Board of ~~e~~Education, who possess the necessary knowledge, skills and experience to make an accurate assessment of such educational programs. The teams shall be chaired by a member of the ~~d~~Department of ~~e~~Education staff.

~~§10.53.~~ The educational standards compliance teams shall report the findings of ~~its~~ their on-site reviews to the state West Virginia ~~b~~Board of ~~e~~Education for inclusion in the determination of a school's or ~~district's~~ county's accreditation or approval status as applicable. ~~The state board of education encourages the sharing of information to improve school effectiveness among the districts and Regional Educational Service Agencies.~~

~~§10.3.1.~~ The county and school shall correct all on-site review findings of noncompliance within one year of West Virginia Board of Education approval of the report. If any findings of noncompliance have not been corrected, the school shall automatically be issued probationary accreditation or seriously impaired status.

~~§10.3.2.~~ The West Virginia Board of Education may at any time issue a school or county any appropriate status based on the on-site review report.

~~10.3.3.~~ Exemplary performance of schools, programs, and educators identified by on-site review teams shall be recognized through the on-site review report.

~~10.3.4.~~ The West Virginia Board of Education encourages the sharing of information to improve school effectiveness among the county boards, multi-county vocational-technical institutes, and regional educational service agencies.

~~§10.64.~~ If during an on-site review, a school or ~~school district~~ county board is found to be in noncompliance with one or more standards, a written plan for compliance shall be submitted to the West Virginia Department of Education within thirty (30) days of receipt of the draft written report. The plan shall include objectives, a timeline, and cost estimates for achieving full accreditation status.

§10.75. If an acceptable plan is presented to the West Virginia Department of Education, the ~~district~~ county board has twelve (12) calendar months to implement the plan for compliance. During that time, a school or ~~school-district~~ county board may request that appropriate department staff return to the ~~district~~ county to verify its completion of the plan for compliance. If compliance is verified, a recommendation shall be made to the West Virginia Board of Education, through the state superintendent of schools, to change the recognition approval status of the ~~school-district~~ county or school.

§10.86. If the plan submitted to the West Virginia Department of Education is not acceptable, the state superintendent may return the ~~school-district~~ plan for modification or has discretion to modify the plan in consultation with the ~~school-district~~ county board and accept the plan as modified. ~~In either case the final plan must be acceptable to the state superintendent.~~

§10.97. Accreditation status information shall be made available to the legislature, the governor, the general public and to any individual who requests such information.

§10.108. ~~From time to time unannounced~~ At the direction of the state superintendent or by random selection, an unannounced on-site reviews shall be conducted by the ~~Department of~~ Education staff at a any school or ~~school-district~~ county office for purposes of verifying data reported by the school or ~~school-district~~ county office, documenting compliance with policies and laws, and/or investigating official complaints that allege the school or ~~school-district~~ county is in violation of policies and/or laws under which schools and ~~school-districts~~ county boards operate.

10.9. Counties shall be selected for an on-site review by a weighted random sample. Each county shall be weighted so that those with lower performance measures and those that have not had a recent on-site review have a greater likelihood of being reviewed.

10.10. The on-site review process will include compliance with the high quality standards, but primary emphasis will be placed on the school and student performance measures.

~~Section 9. Selection of School Districts and Schools for On-Site Reviews~~

~~9.1 School districts shall be selected by weighted random sample. Each district is weighted so that those with lower performance measures have a greater likelihood of having an on-site review and those which have not had an on-site review recently have a greater likelihood of being reviewed. Each school district will have an on-site review within a four year period.~~

~~9.2 At the direction of the state superintendent, an unannounced on-site review may be conducted at any school or school district.~~

The West Virginia Department of Education does not discriminate on the basis of sex, race, color, religion, handicapping condition, age and national origin in employment and in the administration of any of its education programs and activities. Inquiries may be directed to the Elimination of Sex Discrimination Program Coordinator, 348-7864 558-3430; to the Section 504 Coordinator, 348558-2696, WV Department of Education, Charleston, West Virginia, 25305; or to the U S Department of Education's Director of the Office for Civil Rights, 215-596-6795.

2320/96 . . . . .  
revised 9/4/96 . . . . .

# COMMENT LOG

## Performance Based Accreditation System (2320)

Directions: Please use this form in commenting on the proposed policy and regulation on Performance Based Accreditation System (2320).

Name of Individual/Organization: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Proposed Policy	Comment(s)
Section 4 - Annual Performance Measures.	
Section 5 - High Quality Standards.	
Section 6 - County Annual Improvement Plan Process.	

Section 7 - School Accreditation Status.	
Section 8 - Seriously Impaired Status.	
Section 9 - County Approval.	
Section 10 - On-Site Reviews.	

Please submit comments by November 15, 1996 to:

Donna K. Edwards, Director  
Office of Accreditation and Recognition  
West Virginia Department of Education  
Building 6, Room 330  
1900 Kanawha Boulevard, East  
Charleston, WV 25305-0330

## FISCAL NOTE WORKSHEET

(Submit 4 Copies)

HD NO \_\_\_\_\_ DRAFT NO \_\_\_\_\_ BILL NO \_\_\_\_\_ RESOLUTION NO \_\_\_\_\_

SUBJECT Performance Based Accreditation System (2320) FUND \_\_\_\_\_

SOURCE OF REVENUE:  GENERAL FUND  SPECIAL  OTHER (SPECIFY) \_\_\_\_\_

COST OF ESTIMATE BASED ON:  AN ORIGINAL ESTIMATE  BUDGET BILL  OTHER (SPECIFY) \_\_\_\_\_

INCOME ESTIMATE BASED ON:  AN ORIGINAL ESTIMATE  BUDGET BILL  OTHER (SPECIFY) \_\_\_\_\_

SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 & GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
PERSONAL SERVICES CURRENT EXPENSES REPAIRS/ALTERATIONS EQUIPMENT OTHER	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
2. ESTIMATED TOTAL REVENUES	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

DATE 9/4/96

AGENCY  
West Virginia Department of Education

AUTHORIZED REPRESENTATIVE  
