

**TITLE 126  
INTERPRETIVE RULE  
BOARD OF EDUCATION**

**SERIES 13A  
STANDARDS FOR EDUCATIONAL QUALITY (2320)**

**§126-13A-1. General.**

1.1. Purpose. -- In adopting this policy, the state board believes that most county boards of education now are providing quality education programs and thus are worthy of full approval status. This policy provides the framework to enhance quality education, primarily through improvements based upon locally identified needs and priorities.

Educational standards are established in twelve (12) areas: curriculum, educational personnel development, facilities and equipment, finance, food services, instruction, organization and administration, personnel management, planning and evaluation, school and community relations, students, and transportation. Using the accreditation process described in this policy, the county will determine its compliance with these high quality standards. This benchmark information will be used as the foundation upon which to develop an annual county plan for educational excellence. The county plan reflects excellence because the county also will include improvements which address locally identified needs and priorities above the high quality standards.

1.2. Authority. -- W. Va. Code §18-9A-22

1.3. Filing Date. -- May 1, 1987

1.4. Effective Date. -- July 1, 1987

**§126-13A-2. County Accreditation Process.**

2.1. The implementation of a county accreditation process requires new assessment, planning, and developmental efforts by county boards of education, plus an increased commitment to evaluation, planning, and technical assistance by the West Virginia Board of Education. Therefore, the state board assures counties that the state department of education will provide technical assistance on an individual,

county, regional, or statewide basis as needed, desired, and available.

**§126-13A-3. County-Wide Assessment Program.**

3.1. Each county board of education, through its superintendent and staff, will conduct county-wide assessments to determine local needs and priorities upon which the county plan for educational excellence will be based. These assessments will determine compliance with the standards of educational quality and also will be used to establish local needs and priorities.

3.2. To determine compliance with the standards, each county will annually use indicators of attainment (checklists) which are approved by the West Virginia Board of Education and are based on law or state board policy. In order to comply with a standard, the county must provide a positive response to each indicator of attainment for that standard. A positive response may be given if one (1) of the following conditions is met:

a. the indicator is complied with as stated, or

b. the indicator is complied with through alternatives, with an explanation provided as to how the intent of the indicator is met, or

c. the indicator is not fully met; however, it will be attained within one (1) year as described in a reasonable plan of action.

3.3. The county board of education will use information available from school assessments, county-wide assessments, student evaluation programs, classification of schools, and other sources to determine its local needs and priorities as related to the criteria of excellence.

**§126-13A-4. County Plan for Educational Excel-**

lence.

4.1. A four (4) year county plan for educational excellence, amended and renewed annually, will be prepared by the county superintendent and staff. Upon approval by the county board of education, it will be submitted to the state department of education by July 1, each year.

4.2. The county plan first will address standards which have not been met by describing how and when compliance is expected to be attained. Secondly, the plan will include improvement components which address locally identified needs and priorities and which describe efforts to meet the criteria of excellence. Improvement components must be consistent with locally identified needs and priorities. It is not necessary to include an improvement component for each standard.

4.3. The format of the county plan for education excellence will be in accord with directions provided by the state superintendent of schools. The county plan will incorporate plans required for instructional improvement required by §18-9A-10 and will include a summary of the plans required for Chapters 1 and 2 of the Education Consolidation and Improvement Act of 1982, Assessment, Improvement and Monitoring Systems (AIMS), continuing education, vocational education, and special education.

4.4. School advisory councils or active parent-teacher organizations shall review and advise the principals on the schools' improvement priorities, which then are submitted to the county superintendent for consideration in the development of the county plan. The county educational advisory council will review the plan prior to the plan's adoption by the county board of education.

#### **§126-13A-5. Review of Plans.**

Each county plan for educational excellence will be reviewed by the West Virginia Department of Education to (a) verify compliance with standards and (b) verify that the improvement components address locally identified needs and priorities. In reviewing the plan, the department may request additional information and, for just cause, request modification to the plan. An opportunity for the county to reconcile any differences will be provided by the department prior

to consideration of the plan by the state board.

#### **§126-13A-6. On-Site Review.**

6.1. A comprehensive on-site review of each county's educational program will be conducted every four (4) years. The selection of counties for on-site reviews will be made by the state superintendent of schools.

6.2. Review teams shall consist of department of education personnel who have been involved in the county's review process, and persons with expertise in each of the twelve (12) standard areas and shall include the following: county board of education members, county administrators, principals, teachers, special educators, vocational educators, school service employees, parents, lay citizens, regional education service agency staff and higher education staff. None of these persons, other than state department of educational personnel, will be from or closely associated with the county to be reviewed. It is recommended that review team members employed by county boards of education be granted paid leave for this activity.

6.3. The state superintendent of schools will appoint review team members. All team members will receive training to insure adequate preparation and objective reviews. All allowable travel expenses for review team members will be paid by the West Virginia Department of Education.

6.4. The purpose of the on-site review will be to (a) verify compliance with standards, (b) verify that the improvement components address locally identified needs and priorities, (c) verify progress in meeting the criteria of excellence and (d) make recommendations for improving county-wide assessments and educational programs.

6.5. If during an on-site review a county is found to be in noncompliance with one (1) or more indicators, the county shall have the opportunity to provide a written plan for compliance within thirty (30) days of receipt of the draft written report. If an acceptable plan is presented to the West Virginia Department of Education, the county will receive a rating of "3" for that indicator and shall have twelve (12) calendar months to implement the improvement plan. During that time, a county may request that appropriate department staff return to the county to verify its com-

pletion of the plan(s) for compliance. If compliance is verified, a recommendation can be made to the West Virginia Board of Education, through the state superintendent of schools, to change the recognition status of the county.

6.6. Required monitoring and/or evaluation of Chapter(s) 1 and 2 of the Education Consolidation and Improvement Act of 1981, school classification, continuing education, school food services, special education, and vocational education programs will be conducted simultaneously with the county's on-site review.

#### §126-13A-7. Recognition Status.

7.1. A recognition status for each standard will be determined by the West Virginia Board of Education and will be based upon the findings of the state superintendent's review of the county's plan for educational excellence. However, when an on-site review is conducted, a recognition status for each standard will be based primarily upon the recommendation of the on-site review team. Under both procedures there will be a reconciliation process through which the county board of education will be notified of its pending recognition statuses and will be provided an opportunity to request reconsideration and/or an appearance before the state board. Recommendations to the state board regarding recognition statuses will be through the state superintendent of schools.

7.2. The state board of education will issue a recognition status of full approval, substantial full approval, probationary or nonapproval for each standard to each county board of education. The state superintendent of schools will annually provide a report to the West Virginia Legislature specifying the recognition statuses of the respective counties, improvements made the previous year, identified fiscal needs, and request for priority funding.

7.3. A recognition status for each standard will be determined according to the following criteria.

7.3.1. Full approval status. A county board of education will receive full approval status for a standard if the following conditions have been met:

a. the county has submitted a plan for educational excellence which demonstrates full compliance with all of the indicators of attainment in the respective standard, and

b. an on-site review has been conducted with the results verifying compliance with the indicators of attainment in the respective standard.

Counties may receive full approval status for a standard for a period not to exceed four (4) years. If, during the approved period, there is reasonable cause to believe that the county has not met all the indicators of attainment in the respective standard, the state board may review the county's status.

A county board of education may receive full approval with commendation for a standard upon recommendation of the on-site review team and the state superintendent of schools.

7.3.2. Substantial full approval status. A county board of education will receive substantial full approval status for a standard if:

a. all conditions identified under full approval, with the exception of an on-site review, have been satisfied, or

b. all conditions identified under full approval have been satisfied except that one (1) or more of the indicators of attainment have not been fully met but will be attained within one (1) year, as described in a reasonable plan of action.

7.3.3. Probationary status. The county board of education will receive probationary status for a standard if:

a. the county is not in compliance with all of the indicators of attainment in the respective standard, or

b. the county had received substantial full compliance status the previous year and did not meet its plan(s) to fully comply with the designated indicator(s) of attainment.

7.3.4. Nonapproval status. A county board of education will receive nonapproval status for a standard if:

a. the county has not submitted a plan, or

b. the county has submitted a plan which has no improvement components, or

c. the county has submitted a plan that does

not describe how and when compliance with the indicators of attainment in the respective standard will be attained, or

d. the county has not demonstrated reasonable effort to meet the indicators of attainment in the respective standard.

#### **§126-13A-8. Implementation.**

8.1. This policy will be effective July 1, 1983. Pursuant to §18-9A-22, the West Virginia Board of Education hereby adopts educational standards in the following areas: curriculum, educational personnel development, facilities and equipment, finance, food services, instruction, organization and administration, personnel management, planning and evaluation, school and community relations, students, and transportation. Standards for special education and textbooks which are specified in §18-9A-22 are included in one (1) or more of these areas. Although these high quality standards address all operations of the public schools, specific regulations of the state board of education will be considered on an independent basis. Changes in such regulations subsequently will be reflected in the standards and the assessment thereof.

8.2. Policy §2320, Standards for Educational Quality, adopted by the West Virginia Board of Education, provides that the standards are measured by indicators of attainment approved by the state board. The twelve (12) standards and components (1.1, 1.2, 2.1, etc.) are provided along with the respective indicators of attainment (1.1a, 1.2a, 2.1a, etc.).

Indicators of attainment are based on law or the policies of the West Virginia Board of Education. As law or policies change, the indicators will be updated to reflect such changes.

#### **§126-13A-9. Standards.**

Pursuant to §18-9A-22, the West Virginia Board of Education hereby adopts educational standards in the following areas: curriculum, educational personnel development, facilities and equipment, finance, food services, instruction, organization and administration, personnel management, planning and evaluation, school and community relations, students, and transportation. Standards for special education and textbooks which are specified in §18-9A-22 are included in one (1) or more of these areas. Although these high quality standards address all operations of the

public schools, specific regulations of the state board of education will be considered on an independent basis. Changes in such regulations subsequently will be reflected in the standards and the assessment thereof.

#### **Curriculum**

9.1. The county board of education shall establish a curriculum of planned learning experiences based on the academic needs of students at the early, middle, adolescent, and adult levels of education.

9.1.1. The county has a written philosophy regarding curriculum, conducts a curricular needs assessment which is used for making curricular decisions, and bases its educational program on the early, middle, adolescent and adult stages of development.

9.1.2. The county curriculum addresses the Educational Goals for West Virginia.

9.1.3. The county curriculum includes programs of study and learning outcomes required by state statute and state board of education policy.

9.1.4. An individualized education program (IEP) is in effect for every exceptional student receiving special education and related services.

9.1.5. The county curriculum includes vocational and technical education programs that meet the identified occupational training needs at the adolescent and adult levels of education.

9.1.6. The county curriculum provides adult basic and community education programs subject to need and available resources.

#### **Educational Personnel Development**

9.2. The county board of education shall promote the continuous professional growth, certification, and licensure of its professional and service personnel.

9.2.1. The county develops and implements job-related training programs for professional and service personnel.

9.2.2. Public school training of students enrolled in teacher preparation programs is governed by county policy and regulations.

#### **Facilities and Equipment**

9.3. The county board of education shall provide, furnish, and maintain buildings, grounds, and equip-

ment sufficient to carry out its educational program.

9.3.1. Buildings, grounds, furnishings, and equipment provide a healthy and safe environment.

9.3.2. Renovations, additions, and new construction conform to the county's comprehensive educational facilities plan and the Handbook on Planning School Facilities.

9.3.3. Buildings, grounds, furnishings, and equipment support the educational program.

Finance

9.4. The county board of education shall establish an efficient system of fiscal management.

9.4.1. The county board of education has a system of fiscal management which provides for accrual accounting and responsible purchasing, payroll, fiscal control, and investment practices.

9.4.2. Utilizing public input, the county board of education prepares an annual budget which reflects its planned educational improvements within revenue available.

Food Services

9.5. The county board of education shall provide food services designed to meet the nutritional needs of students.

9.5.1. Food service programs meet applicable state and federal nutrition standards.

9.5.2. Foods available for sale to students during the school day comply with established state standards of nutritional quality.

Instruction

9.6. To the extent resources allow, the county board of education shall provide an instructional program based upon its curriculum, student needs, and the nature of the subject matter being taught.

9.6.1. Administrative practices are implemented in accordance with state and local priorities to deliver high quality educational programs.

9.6.2. Instructional practices are implemented in accordance with successful educational practices, research and development findings, and local policies and procedures.

9.6.3. Learning activities are designed to accomplish the educational goals for each program of study.

9.6.4. Instructional resources are up-to-date and aligned with the learning outcomes withing approved programs of study.

9.6.5. Adequate time is provided during classroom periods, the instructional day, and the instructional term for teaching and learning to occur. Student-teacher ratios comply with state law.

9.6.6. Instructional programs accommodate the individual differences of exceptional students.

Organization and Administration

9.7. Each county school district shall be under the supervision and control of an elected county board of education. The board, through the county superintendent of schools, shall be responsible for organizing and administering the county's educational program.

9.7.1. County board of education members are duly elected, with the board holding its meetings pursuant to state law.

9.7.2. The board maintains proper records of all board activities in a safe, secure place. Official records of the board are available to the public upon proper request.

9.7.3. Policies of the county board of education are in writing and are available to all school personnel and the general public. Policies include, but are not limited to, curriculum, instruction, finance, organization and administration, personnel, school-community relations, students, and transportation.

9.7.4. Required reports are filed at designated times with the state superintendent of schools, state tax commissioner, and other officials.

Personnel Management

9.8. The county board of education shall employ and assign qualified personnel, evaluating their performance on a regular basis. Employees shall be accorded applicable due process rights.

9.8.1. Personnel decisions are made without regard to sex, race, color, national origin, age, handicap, religion, or political affiliation. Employment vacancies are announced pursuant to county policy.

9.8.2. Probationary personnel and personnel on continuing contracts are evaluated in accordance with state board policy.

9.8.3. Applicable due process is accorded to personnel.

9.8.4. Professional personnel meet the licensure/certific requirements for the positions they hold or for the subjects they teach. Service personnel are qualified for the positions they hold and are properly classified according to the duties they perform.

9.8.5. Personnel records are accurately maintained and secured.

9.8.6. Personnel have written contracts and receive the state minimum salary, plus any county salary supplement and employment benefit for which they are eligible.

Planning and Evaluation

9.9. The county board of education periodically will evaluate its educational program using that information for planning purposes.

9.9.1. The county board of education has a student evaluation program.

9.9.2. Schools are classified according to state board policy.

9.9.3. The board uses information from its student evaluation program, the classification of schools, county-wide assessments and school assessments to meet standards and the criteria of excellence, and other sources such as dropout studies, graduate follow-up studies, vocational placement, and facility studies for program planning.

School-Community Relations

9.10. The county board of education shall maintain a school-community relations program.

9.10.1. Meetings of the county board of education are open to the public.

9.10.2. The board of education has established procedures for receiving information from and disseminating information to the community.

9.10.3. The county board of education communicates with school personnel.

9.10.4. The county provides students with information regarding their rights and responsibilities

9.10.5. The county provides parents of exceptional children with notification and information regarding the special education process.

Students

9.11. The county board of education shall provide services and procedural safeguards which foster the well-being of students.

9.11.1. The county has policies which govern student attendance, behavior, confidentiality of record, due process rights, nondiscrimination, promotion, and substance abuse.

9.11.2. Counseling and guidance, library/media, attendance, dropout prevention, health, and other support services are provided for the development of students.

9.11.3. Extracurricular activities provided by the county are available on a nondiscriminatory basis and are under control and supervision of the county board of education.

Transportation

9.12. The county board of education shall provide safe and efficient transportation for eligible students

9.12.1. A safe transportation system is provided eligible students.

9.12.2. School buses are maintained to operate safely and efficiently.



West Virginia Department of Education

Capitol Complex, Charleston 25305

Henry R. Marockie, State Superintendent of Schools

October 20, 1989

The Honorable Ken Hechler  
Secretary of State  
Capitol Complex  
Building 1, Room 157  
Charleston, West Virginia 25305

FILED  
1989 OCT 23 AM 11:29  
OFFICE OF GENERAL INVESTIGATION  
SECRETARY OF STATE

Dear Mr. Hechler:

West Virginia Board of Education Regulation Series Number 13A (Policy 2320) Standards for Educational Quality is being rescinded as a separate regulation policy because West Virginia Code §18-2E-5 requires only one classification system and that classification is included as part of Regulation Series Number 13 (Policy 2320) Performance Based Accreditation. Three copies of this policy are attached.

Sincerely,

Henry Marockie  
State Superintendent of Schools

HM:ta/1310a

Attachment