

TITLE 126  
INTERPRETIVE RULE  
BOARD OF EDUCATION

SERIES 13B  
INDICATORS OF ATTAINMENT FOR STANDARDS FOR  
EDUCATIONAL QUALITY (2321)

**§126-13B-1. General.**

1.1. Scope. -- Policy §2321 measures a school systems compliance/noncompliance with standards in §2320. The twelve (12) standards and components (1.1, 1.2, 2.1, etc.) are provided below 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 changes, the indicators will be updated to reflect such changes.

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

1.3. Filing Date. -- May 1, 1987

1.4. Effective Date. -- July 1, 1987

**§126-13B-2. Curriculum.**

2.1. 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.

2.2. 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.

a. The county has a written philosophy regarding curriculum at the early, middle, adolescent, and adult levels of education. (§2442.2; §2320)

b. The county's educational programs are based on the early, middle, adolescent, and adult stages of development. (§2510; §2100)

c. A professional staff member is assigned the responsibility of collecting and processing curriculum development data. (§2442.2; §2320)

d. The results of a curricular needs assessment, including results of an evaluation of the effectiveness of special education services, are used for making curricular decisions. (§2442.2; §2320; §2510; §2419)

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

a. Written educational goals of the county board of education address the Educational Goals for West Virginia and county needs. (§2100; §2419; §2442.2)

b. The county curriculum gives priority to the mastery of skills needed for reading, writing, speaking, reasoning, listening and using mathematics. (§18-2-7; §2100; §2510)

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

a. Required in grades K-4 in Phase 1 are: art, health, language, arts, mathematics, music, physical education, reading, bus/school safety, science, and social studies. (§18-2-9; §2422.91; §4335; §4336; §2413; §2510)

b. Required in grades 5-8 in Phase 1 are: art, health, language, arts, mathematics, music, physical education, reading, science, social studies, library/media, and developmental guidance. (§18-2-9; §2422.91; §2413; §2510)

c. Required in grades 9-12 in Phase 1 are: health (1 unit), English - language arts (4 units) (or English (3 1/2 units) and speech (1/2 unit), mathematics (2 units), physical education (1 unit), biology (1

unit), and social studies (3 units). (§2444.01; §2422.91; §18-2-6; §2510)

d. In Phase 1 choral music and instrumental music are available as electives during grades 6-8. If the county chooses to start choral music or instrumental music prior to grade 6, then those offerings must be sequential and continuous. (§18-2-9; §2510)

e. The following electives are available in grades 9-12 in Phase 1: art (2 offerings), driver education (1/2 unit), one (1) foreign language (levels 1 and 2), language arts (4 offerings), mathematics (algebra 1 & 2, 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 typing (one offering). (§2444.01; §18-6-1, 2; §18-2-6; §2510)

Policies and written procedures are implemented to assure that general education programs of study in Phase(s) 2 and 3 of Policy §2510 are used to establish annual county priorities. Priorities are based on recommendations from program and school improvement processes and the availability of local and state funds. Priorities are identified in the county's annual plan for educational excellence. The county reports its progress toward implementing Phase(s) 2 and 3. (§2510)

se indicators will be assessed to determine progress toward implementing Phase 2 and Phase 3 of the Master Plan for Public Education. This assessment will not affect a county's recognition status.

g. Written county educational goals are established for each required program of study. (§2442.2; §2320)

h. Curricula are based upon the West Virginia Board of Education's approved programs of study and specified learning outcomes. (§2442.2; §2510)

i. Students entering the first grade must either have successfully completed a public or privately-supported state-approved kindergarten or Montessori kindergarten program or have successfully completed an entrance test of basic readiness skills approved by the county board of education. (§18-2-5; §18-5-18; §18-8-1A)

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

a. An individualized education program (IEP) is in effect for each exceptional student receiving special education services. (Public Law 94-142; §18-20-1; §2419; §2510)

b. An IEP has been developed for exceptional students placed by the county in private schools or other facilities. (Public Law 94-142; §18-20-1; §2419; §2510)

c. The following are available in grades K-12 in Phase 1: intellectually gifted instruction and instruction for other categories of exceptionality, as are determined by individualized education programs (IEPs). (§2419; §2510)

d. Special education students have available to them the variety of educational programs and services available to nonhandicapped students. (§2419) Policies and written procedures are implemented to assure that special education programs of study in Phase(s) 2 and 3 of Policy §2510 are used to establish annual county priorities. Priorities are based on recommendations from program and school improvement processes and the availability of local and state funds. Priorities are identified in the county's annual plan for educational excellence. The county reports its progress toward implementing Phase(s) 2 and 3. (§2510)

se indicators will be assessed to determine progress toward implementing Phase 2 and Phase 3 of the Master plan for Public Education. This assessment will not affect a county's recognition status.

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

a. Vocational curricular offerings are available to adolescents and adults, including exceptional students. (Public Law 94-482)

b. Vocational and technical curricular offerings are based on identified occupational training needs. (Public Law 94-482, Title 1, Section 101; §2320)

c. The following electives are available in vocational education in grades 9-12 in Phase 1: consumer and homemaking (Surviving Today's Experiences and Problems Successfully, Adult Roles and Functions) and offerings from four (4) service areas. (§18-2-9; §2510)

Policies and written procedures are implemented to assure that vocational education programs of study in Phase(s) 2 and 3 of Policy §2510 are used to establish annual county priorities are based on recommendations from program and school improvement processes and the availability of local and state funds. Priorities are identified in the county's annual plan for educational excellence. The county reports its progress toward implementing Phase(s) 2 and 3. (§2510)

se indicators will be assessed to determine progress toward implementing Phase 2 and 3 of the Master Plan for Public Education. This assessment will not affect a county's recognition status.

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

a. Adult basic education classes are offered in general education development and literacy training, subject to need and available resources. (Public Law 95-561; §2310)

b. Community education programs are offered in health, education, and recreation, subject to need and available resources. (§18-2D-3; §2320)

#### §126-13B-3. Educational Personnel Development.

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

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

a. The county provides continuing education for professional personnel and job-related training programs for service personnel. (§18-2-6; §5113; §5114; §5140; §4335; §2320; §2510; §5500)

b. All personnel are annually provided the opportunity to study multi-cultural education. (§18-5-

15a; §5500.1)

c. The county conducts orientation meetings for all teachers who will be using new materials when the county adopts new textbooks/programs. (§2320; §2510)

d. The county conducts a job-related training program for new teachers beginning with an orientation in their assigned areas of study at the beginning of the school year and continuing through the first year of employment. (§2510)

e. Staff development recommendations from the program and school improvement processes are considered by the county in the development of its annual training programs. (§2510)

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

a. The county has a policy regarding the county's role in the public school training of students enrolled in teacher education programs and has letters of agreement with institutions of higher education and teacher education centers and regional education service agencies regarding the training of students enrolled in teacher education programs. (§18-2-6; §18-2-26; §2320)

#### §126-13B-4. Facilities and Equipment.

4.1. The county board of education shall provide, furnish, and maintain buildings, grounds, and equipment sufficient to carry out its educational program.

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

a. Buildings, grounds, furnishings, and equipment are clean and free from debris. (§18-5-9; §2320)

b. Buildings, grounds, furnishings, and equipment are free from observable safety hazards. (§18-5-9; §2320)

c. Buildings, grounds, furnishings, and equipment are maintained efficiently and promote personal health and hygiene. (§6200)

d. To the extent necessary, buildings, grounds, furnishings, and equipment are free of barriers to

handicapped students. (§18-10F-3; Section 504, Rehabilitation Act)

e. The board of education has a policy providing for the eradication and/or containment of asbestos in public school facilities. (§6200)

f. The county board of education has reviewed the most recent reports of state regulatory agencies and has a plan for corrective action. (§29-3-5; §18-10F-1 to 5; §18-3-9a)

g. The county board of education has a policy on the efficient use of energy. (§6100; §2320)

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

a. The county has on file with the state department of education a comprehensive educational facilities plan. (§18-5-10; §6200)

b. The county's comprehensive educational facilities plan is properly amended before any renovation, addition, or new construction, is started. (§6200; §2320)

c. Renovations, additions, and new construction are completed in accordance with the Handbook on Planning School Facilities. (§18-5-10; §6200)

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

a. The county provides a resource center for professional development which contains professional literature, supportive materials, equipment, and supplies for materials production. (Counties may be served by multicounty resource centers.) (§2510)

b. The county provides a station for each teacher's personal effects, desk work, preparation of lesson materials, instructional aids, and lockable storage. (§2510)

c. The county provides and maintains in good condition the following equipment: video equipment, filmstrip projectors, slide projectors, previewers, audiovisual carts, cassette recorders, overhead projectors, 16 mm projectors, photo copiers, ditto machines, laminators, paper cutters, typewriters, and

microcomputers and appropriate peripherals. (§251

#### §126-13B-5. Finance.

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

5.2. 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.

a. The county board of education has a fiscal policy which provides for accrual accounting and includes purchasing, payroll, fiscal control, investment practices and individual school accounting. (§8-9B-9; §1224.1; §8352; §8353; §2320)

b. Individual school accounts are audited annually. (§1224.1)

c. If the county board of education has appointed a person other than the sheriff as its treasurer, board policy specifies the treasurer's duties and responsibilities. (§8352)

d. The county board of education authorizes the expenditure of funds and incurs obligations only in accordance with its budget. (§18-9B-10, 11)

e. Transfers between budget line items and supplemental budget appropriations are made only with the prior approval of the state board of education. (§18-9B-10, 11)

f. Personnel receive the state minimum salary and any applicable county salary supplement for the position they hold. (§18A-4-1 to 8A)

g. The superintendent, as secretary of the board, keeps a record of the payee, purpose, and amount of each check issued. (§18-5-25; §18-4-10)

h. County office fiscal and individual school accounting practices are consistent with county policy and with state policy and procedures. (§1224.1; §8100, §8352; §8353; §2320)

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

a. The county holds a hearing on its preliminary operating budget, making the document available to the general public at least ten (10) days in advance. (§18-5-4; §18-9B-6)

b. Subject to available revenue, the county board of education budget reflects the educational improvements identified in the county's annual plan for educational excellence. (§2320)

c. Following publication of the levy estimate, the county board of education reconvenes on the third Tuesday in April to hear objections, make any adjustments, enter the levy and adopt the budget. (§11-8-10a, 12, 12a)

#### §126-13B-6. Food Services.

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

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

a. All schools participating in federally supported school breakfast and/or lunch programs have approved applications on file with the county board of education. (Public Law 95-166; Public Law 96-499; §4321.1)

b. Meals served under federally supported food service programs contain components and quantities which meet or exceed state standards and applicable federal regulations. (Public Law 95-166; §18-5-37; §4321.1)

c. A nutritious breakfast is made available to all students except when a waiver has been granted the school by the state superintendent of schools. (§18-5-37; §4321.12)

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

a. Candy, soft drinks, chewing gum, or flavored ice bars are not offered for sale to students during the school day. (§4321.1)

b. The only foods available for sale in the school lunchroom or dining area during the meal periods are those approved as part of a school lunch or

breakfast program. (Public Law 95-166; §4321.1)

#### §126-13B-7. Instruction.

7.1. 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.

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

a. Each school has written policies and procedures for maintaining a climate conducive to learning and for addressing student behavior, student achievement and student homework. (§2510)

b. Each school has a continuing record of student progress for student, parent, and teacher information. (§2510)

Each school has a system for monitoring and assessing pupil performance related to learning outcomes. (effective 1988-89) (§2510)

se indicators will be assessed to determine progress toward implementing Phase 2 and 3 of the Master Plan for Public Education. This assessment will not affect a county's recognition status.

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

a. The county shall provide for an instructional management system and a classroom management system that are implemented at the classroom level. (§2510)

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

a. Teachers have lesson plans which include activities designed to accomplish educational goals. (§2442.2; §2320)

b. Classroom learning activities are consistent with the growth and developmental levels of students. (§2442.2; §2320; §2510)

Teachers have a system for providing infor-

mation to students regarding their progress toward meeting approved learning outcomes. (effective 1988-89) (§2442.2; §2510)

se indicators will be assessed to determine progress toward implementing Phase 2 and 3 of the Master Plan for Public Education. This assessment will not affect a county's recognition status.

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

a. The county complies with state textbook adoption policies by selecting basal textbooks from state approved textbook adoption lists. Schools use the textbooks the county has adopted. (§18-2A-1 to 9; §2445.40; §2445.51)

b. Textbooks are appropriate for the instructional level of the class. (§2445.40; §2445.44)

c. If the county provides free textbooks for all students, textbooks for state required courses, including electives required by the state, are available for each student. (§2320)

d. Free textbooks are provided for needy students. (§2445.4)

e. The county establishes procedures to assure that supplemental resources are selected on the basis of their alignment with learning outcomes within approved programs of study. (§2510)

f. The county develops program guides which include learning outcomes, materials, supplies, equipment lists and evaluation methods and provides a copy of each appropriate program guide to each teacher and to the public upon request. (§2510)

g. An inventory list of instructional materials at the county and school levels is available. (§2510)

h. The county provides specialized laboratory materials and resources. (§2510)

7.6. 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.

a. The ratio of pupils per classroom teacher for

grade levels 1-6 does not exceed 25:1 and for kindergarten 20:1, except as approved by the state superintendent of schools. (§18-5-18a)

b. An instructional aide is assigned to every kindergarten with more than ten (10) pupils. (§2412)

c. Instructional time allocations (one hundred fifty-eight (158) minutes, one hundred eighty (180) days) are provided for kindergarten to meet or exceed the following: intellectual learning outcomes, 20-25%; physical/motor learning outcomes 20-25%; social/emotional learning outcomes, 20-25%; discretionary instructional time, 25-40%. (§2510; §2310)

d. Instructional time allocations (three hundred fifteen (315) minutes, one hundred eighty (180) days) are provided for grades 1-4 to meet or exceed the following: art, 3-5%; health and science, 5-7%; language arts and reading, 35-50%; mathematics, 16-19%; music, 3-5%; physical education, 3-5%; social studies, 5-7%; discretionary instructional time, 2-30%. (§2510)

e. Instructional time allocations (three hundred thirty (330) minutes, one hundred eighty (180) days) are provided for grades 5-8 to meet or exceed the following: language arts and reading, 25% for grades 5-6 and 13-25% for grades 7-8; mathematics, 13-14%; social studies, 11-14%; science, 11-15%; physical education, 3-5%; art, 3-5%; music, 3-5%; health, 3-5%; consumer and homemaking, 3-5%; industrial arts, 3-5%; discretionary instructional time, 3-34%. (Consumer and homemaking, 3-5%, and industrial arts, 3-5%, are required in Phase 3.) (§2510)

f. Instructional time allocations (three hundred forty-five (345) minutes, one hundred eighty (180) days) are provided for grades 9-12 to meet or exceed the following: language arts, 14-17% (4 units); social studies, 10-13% (3 units); mathematics, 7-8% (2 1 5% (1 unit); health, 4-5% (1 unit); electives 26-32% (8 units); discretionary instructional time, 15-31% (12-28% for freshmen in 1985-86 and thereafter). (§2510)

g. One (1) year of study of West Virginia history is offered prior to the ninth grade. (§18-2-9)

h. One (1) semester of American government is offered in the eighth grade. (§2422.91)

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

a. Instructional programs for exceptional students are consistent with their individualized education programs (IEPs). (Public Law 94-142; §18-20-1; §2419; §94-482)

b. The county has adopted procedures which provide for the placement of exceptional children in the least restrictive environment. (Public Law 94-142; §18-20-1; §2419)

c. Each student placed in a program removed from the regular education environment is provided with opportunities for integration with non-exceptional students in accordance with the individualized education program (IEP). (§2419)

#### **§126-13B-8. Organization and Administration.**

8.1. 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.

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

a. Regular meeting dates of the board are established by county board policy. (§18-5-4; §2320)

b. Special meetings of the board are held only when called by the president or any three (3) members, and the only business transacted is that which is specified in the call. (§18-5-4)

c. Official board business is transacted only when a majority of the member is present. (§18-5-4)

8.3. 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.

a. The superintendent, as secretary of the board, maintains the official board minutes and other papers and documents pertaining to the board's business. (§18-5-25)

b. The official minutes of the board contain all pertinent information and are available to the public upon request. (§6-9A-5; §29B-1-3)

8.4. 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.

a. The county board has written policies for curriculum, instruction, finance, organization and administration, personnel, school-community relations, students, and transportation. (§5300; §2320; §2510)

b. A document containing the policies of the county board is maintained in each school and at the board office, where it is available to the public upon request. (§29B-1-3; §2320)

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

a. The county superintendent makes reports as are required by the state superintendent of schools. (§18-4-11)

b. The board submits its proposed budget and supporting schedules and its levy estimate on or before the day fixed by the budget calendar. (§18-9B-6)

#### **§126-13B-9. Personnel Management.**

9.1. 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.

9.2. 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.

a. The county board announces employment vacancies in accordance with state statutes and policy. (§18A-4-8b; §18A-4-15; §2320)

b. The county board implements a policy assuring compliance with nondiscrimination laws. (§5-11-1 to 17)

c. Employment applications do not require information related to sex, race, color, national origin, age, handicap, religion, or political affiliation. (§5-11-2; §2320)

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

a. The county board of education has a written policy regarding employee evaluation. (§2320; §5300; §5310)

b. Probationary personnel are evaluated in accordance with state board policy and a copy of the evaluation is in the employee's personnel file. (§2320; §5310)

c. Personnel on continuing contracts are evaluated in accordance with state board policy and a copy of the evaluation is in the employee's personnel file. (§2320; §5310)

9.4. Applicable due process is accorded to personnel.

a. Employees are accorded their procedural due process rights in matters of transfer, suspension, termination or non-renewal of contract, dismissal or grievance. (§18A-2-8a; §18A-2-11; §5300; §5301; §2320; §18-29-1 to 9)

b. Upon proper request, an eligible employee is provided a hearing before the county board of education. (§18A-2-11; §18-29-4c; §5301)

9.5. 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.

a. The county board has on file for professional educators required certificates, permits, or out-of-field authorizations for the subjects they teach or the positions they hold. (§18A-3-1)

b. An individual is assigned the responsibility of providing advice and assistance to professional personnel holding authorizations, permits, or temporary certificates. (§18-2-6; §5113; §5114; §2320)

c. Each person holding less than a professional certificate has a plan for attaining full certification on file in the county office. (§18A-3-1; §5113)

d. Service personnel meet minimum qualifications for their classification. (§18A-4-8)

e. Service personnel are properly classified according to job responsibilities. (§18A-4-8)

f. Professional and service personnel meet health requirements for the positions they hold. (§16-3-4a; §18-4-2; §4334)

9.6. Personnel records are accurately maintained and secured.

a. Personnel records are maintained in a centralized place and are safeguarded against loss or damage. (§2320)

b. Personnel records are accessible only to authorized persons as established by board policy. (§29B-1-4; §2320)

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

a. Contracts of employment for professional educators and service personnel are kept in the employee's personnel file. (§18A-2-2; §18A-2-5; §2320)

b. A written agreement is on file at the county office or the school for county personnel who have been assigned extracurricular duties. (§18A-4-16)

c. Teachers who are employed for a period of time more than one half (1/2) of the class periods of the regular school day receive a duty-free daily lunch recess and a planning period of not less than thirty (30) consecutive minutes unless there has been a mutual written agreement to exchange the lunch recess or planning period for any compensation or benefit. (§18A-4-14)

d. Service personnel whose employment is for a period of more than three and one-half (3 1/2) hours per day and whose salary is at least the amount indicated in the state minimum pay scale receive a duty-free lunch recess of not less than thirty (30) consecutive minutes unless there has been a mutual written agreement to exchange the lunch recess for any compensation or benefit. (§18A-4-14)

#### §126-13B-10. Planning and Evaluation.

10.1. The county board of education periodically will evaluate its educational program using that in-

formation for planning purposes.

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

a. All students listed on a teacher's register as part of the third, sixth, ninth or eleventh grade enrollment, except special education students who may be excused by county discretion, shall be included in the State-County Testing Program. (§2340)

b. Procedures for the identification and assessment of children who may require special education services are implemented. (Public Law 94-142; §2419)

10.3. Schools are classified according to state board policy.

a. Schools are classified according to requirements in the classification Document for Schools with and Grades K- 12. (§18-2-6; §18-3-11)

10.4. 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.

a. One (1) or more professional staff members are assigned the responsibility for using information from the county's student evaluation programs, classification of schools, county-wide assessments and school assessments to meet standards and the criteria of excellence, and other sources for program planning. (§2320)

b. The county has plans for educational excellence to address the 1990 Targets for Public Education (§2320).

#### §126-13B-11. School-Community Relations.

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

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

a. Meetings of the county board are open to the public, except during executive sessions. (§18-5-3)

b. Executive sessions are held only for reasons designated by law. (§6-9A-4)

c. Regular meeting dates of the board are announced in advance to the public and the news media. (§6-9A-3; §2320)

d. The time, place, and purpose of each special meeting are announced in advance to the public and to the news media, except in the event of an emergency requiring immediate official action. (§6-9A-3)

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

a. The county board of education receives information from and disseminates information to the community. (§2320; §2510)

b. A county educational advisory council, comprised of parents and other citizens with sections for general, vocational, exceptional, support programs, and community relations, reviews the county plan for educational excellence. (§2510)

c. School advisory councils or active parent-teacher organizations, a majority of which are comprised of parents and other citizens, review and advise the principal on the school's improvement priorities, which are then submitted to the county superintendent for consideration in the development of the county plan for educational excellence. (§2510)

d. The county implements a policy which provides public access to public records of the board. (§29B-1-3, 4)

e. Copies of the Appeals Procedure for Citizens are available at the county board of education office and at each public school. (§7211)

f. Parents are provided information about the operation of their child's school. (§2320)

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

a. School employees are provided opportunities to make recommendations through appropriate channels to the board. (§5300; §2320)

b. The county provides employees with infor-

mation about the operation of the schools. (§5300; §2320)

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

a. A copy of the Students Rights and Responsibilities Handbook is available to students. (§4371)

b. Students are provided information about the operation of the schools. (§2320)

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

a. Parents are provided written notification prior to assessment and placement advisory committee/individual education program meetings. (§2419)

b. The county uses other methods, such as telephone calls, additional written notices and home visits, to encourage parent participation in placement advisory committee/individual education program meetings. (§2419)

c. Parents of exceptional children are informed of the due process rights and procedural safeguards afforded to them and their children. (§2419)

#### §126-13B-12. Students.

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

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

a. The county attendance director, subject to the county superintendent's recommendation, is appointed by the county board of education and coordinates the implementation of the county's student attendance policy, which addresses absences and tardiness. The equivalent of one (1) full-time attendance director should be appointed in counties with more than four thousand (4,000) students and counties with less than four thousand (4,000) students should employ the equivalent of a half-time school attendance director. (§18-8-3, 4; §2320; §2510)

b. The county implements a policy governing disciplinary procedures, policies governing student due process rights and nondiscrimination, and an approved substance abuse policy. (§18-8-8; §18A-5-1, 1a; §4370; §4371; §2320; §2422.5)

c. Student records are collected, maintained and disclosed only as prescribed by state and county policies. (Public Law 93-380; Public Law 94-142; §2419; §4350)

d. Promotion of students is in accord with county policy. (§2320)

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

a. The county provides counseling services for each pupil enrolled in the public schools of the county. (§18-5-18b)

b. Student support services are available to all students. (§2320)

c. All children entering school for the first time in West Virginia have received the required immunizations and tuberculin tests. (§16-3-4, 4a)

d. Hearing, vision and speech screening is conducted for students entering school for the first time in West Virginia. (§18-5-17)

e. The county uses the approved health record form or an approved alternative. (§4322)

f. The county has monthly reports showing activities of the school attendance office and the status of student attendance in the county. (§18-8-4)

g. Each school has a system for monitoring dropout rates and, when appropriate, plans are implemented to reduce the student dropout rate by (1) providing instructional opportunities to meet student needs and to satisfy high school graduation requirements, (2) identifying potential dropouts and attempting to prevent them from leaving school, and (3) implementing instructional programs for dropouts to continue their education. (§2510)

h. The county board of education develops a comprehensive dropout prevention program utilizing

the expertise of school counselors and other appropriate resources available. (§18-5-18c)

i. The county board of education establishes programs for the prevention of child abuse and neglect and child assault to the extent funds are provided. (§18-5-15c)

j. The county provides at least one (1) certified school nurse regardless of enrollment. If K-7 enrollment is greater than one thousand five hundred (1,500) students, an additional nurse must be employed for every one thousand five hundred (1,500) K-7 students or major portion thereof. A county may contract with a local board of health for equivalent services. (§18-5-22).

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

a. Students have the opportunity to participate in extracurricular activities without regard to race, color, religion, national origin, sex, handicapping condition, marital status, parenthood, or pregnancy. (Title 9; Public Law 93-380; Public Law 94-142; §2436.11; §4371)

b. The county board of education controls, supervises, and regulates extracurricular activities. (§18-2-25)

c. Middle, junior and senior high schools sponsoring interscholastic football teams have a certified athletic trainer available for practices and games. (§5112)

d. Students who participate in extracurricular activities meet state board requirements for eligibility. (§2436.10)

### §126-13B-13. Transportation.

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

13.2. A safe transportation system is provided eligible students.

a. School buses purchased by the county meet West Virginia Minimum Standards for design and equipment of school buses. (§17C-14-12; §4335)

b. Students transported in school buses participate in emergency evacuation drills at least twice a year. (US DOT NHTSA Std. 17; §4335; §4336)

c. The number of passengers transported regularly on any bus at any one time does not exceed the number that can be safely seated. (US DOT NHTSA Std. 17; §4335; §4336)

d. Transportation for handicapped students is provided as specified in the individualized education programs (IEPs). (§2419)

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

a. All vehicles used to transport students are regularly scheduled for preventive maintenance. (§4334; §4335)

b. Maintenance records for each bus are maintained. (§4334; §4335)

c. School bus operators conduct appropriate pretrip inspections. (DOT NHTSA Std. 17; §4334; §4335)

d. School buses are inspected and approved by state inspectors. (§4334)



West Virginia Department of Education

Capitol Complex, Charleston 25305

Henry R. Marockie, State Superintendent of Schools

October 20, 1989

FILED  
OCT 23 AM 11:20  
WEST VIRGINIA  
SECRETARY OF STATE

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

Dear Mr. Hechler:

West Virginia Board of Education Regulation Series Number 13B (Policy 2321) Indicators of Attainment for 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