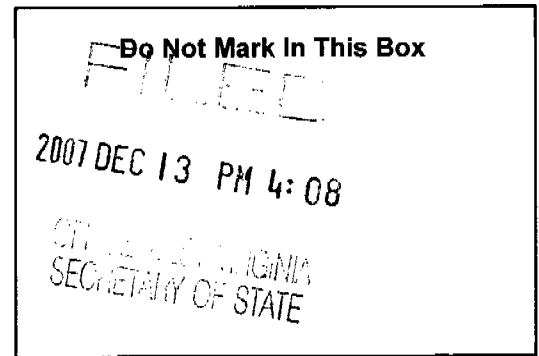


WEST VIRGINIA
SECRETARY OF STATE

BETTY IRELAND

ADMINISTRATIVE LAW DIVISION

Form #5



NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

CITE AUTHORITY: W. Va. Constitution, Article XII, §2, W. Va. Code §18-2-5 and §18-2A-1

RULE TYPE: PROCEDURAL _____ INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE X

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

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

AMENDMENT TO AN EXISTING RULE: YES X NO _____

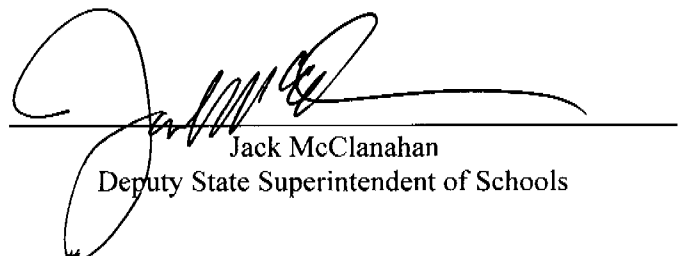
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 35

TITLE OF RULE BEING AMENDED: Groupings for Textbook Adoption for Early
Childhood Education, Middle Childhood Education, and Adolescent Education (2445.40)

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS January 14, 2008.


Jack McClanahan
Deputy State Superintendent of Schools

**EXECUTIVE SUMMARY
AND
Professional Development Brief
FOR
WEST VIRGINIA BOARD OF EDUCATION POLICY**

Policy Number and Title:

Policy 2445.40: Groupings for Textbook Adoption for Early Childhood Education, Middle Childhood Education, and Adolescent Education.

Background:

West Virginia Code §18-2A provides for the adoption of instructional materials classified into groups by subject area and grade level. It allows for the creation of an adoption schedule. The resulting policy is 2445.40, Groupings for Textbook Adoption.

The West Virginia Instructional Materials Advisory Committee and West Virginia Department of Education staff have discussed and developed these recommended policy changes in a series of meetings. The adoption schedule set forth in this policy enables the requirements set forth in WVBE Policy 2510 to be met.

Proposals:

Revisions are being proposed to modify Appendix A: Groupings for textbook (Instructional Materials) Adoption. Groupings I-VI, along with eight (8) adoption periods for each group have been aligned with the current calendar year. In addition, Family & Consumer Science and vocation Agriculture have been moved from the 2009-2015 adoption to the 2010-2015 adoption cycle.

Impact:

By removing the following two items: Family & Consumer Science and Vocational Agriculture from the 2009 cycle, the West Virginia Department of Education will be enabled to complete the Content Standards and Objectives (CSOs) revision prior to an adoption cycle for these specific areas. Otherwise, the Criteria would not be correlated with the current, most up-to-date CSOs for these courses.

Response to Comments:

No comments were received during the comment period.

FILED

TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION

2007 DEC 13 PM 4:08

WEST VIRGINIA
SECRETARY OF STATE

SERIES 35

Groupings for Textbook Adoption for Early Childhood Education, Middle Childhood Education, and Adolescent Education (2445.40)

§126-35-1. General.

1.1. Scope. - This legislative rule sets the adoption period for textbook groupings I-VI for the required subjects taught in early childhood education, middle childhood education, and adolescent education.

1.2. Authority. - W. Va. Constitution, Article XII, §2 and W. Va. Code §18-2A-1 and §18-2-5.

1.3. Filing Date. - December 13, 2007.

1.4. Effective Date. - January 14, 2008.

1.5. Repeal of Former Rules. - This rule amends W. Va. 126CSR35 "Groupings for Textbook Adoption for Early Childhood Education, and Adolescent Education (2445.40)," filed July 14, 2000 and effective August 14, 2000.

§126-35-2. Purpose.

2.1. The purpose of this policy is to establish and classify the elementary and secondary school subjects required to be taught in the schools of West Virginia into adoption groups. The A schedule for periods of adoption is found in Appendix A of this rule.

§126-35-3. Implementation.

3.1. The classification of required subjects to be taught will be early childhood education, middle childhood education, and adolescent education and will be grouped by adoption periods I-VI.

3.2. These groupings replace the periods of adoption indicated in W. Va. Code §18-2A-1, "Definition; adoption groups; adoption schedule."

3.3. The West Virginia Instructional Materials Review/Advisory Committee, acting as a total body, shall select "Textbooks" as defined in W. Va. Code §18-2A-1, for each group by grade and subject for recommendation to the West Virginia Board of Education to be approved and published in the yearly *Official State Multiple List of Instructional Materials*.

126CSR35

3.4. The adoption period is based on the fiscal year (July 1 to June 30) and, unless otherwise noted, is established for six (6) years.

3.5. Groupings I-VI are found in Appendix A along with eight (8) adoption periods for each group from 2008-2013.

3.6. The required subjects, as applicable, are listed under classifications of early childhood education, middle childhood education, and adolescent education.

3.7. The West Virginia Instructional Materials Review/Advisory Committee begins its "textbook" review process approximately one year prior to the group adoption period beginning date found in Appendix A.

126CSR35

Appendix A

**GROUPINGS FOR TEXTBOOK (INSTRUCTIONAL MATERIALS) ADOPTION
FOR
EARLY CHILDHOOD EDUCATION, MIDDLE CHILDHOOD EDUCATION,
AND ADOLESCENT EDUCATION**

The establishment of groupings and periods of adoption complies with W. Va. Code §18-2A-1, Adoption of Textbooks, Instructional Materials and Learning Technologies. The West Virginia Instructional Materials Review/Advisory Committee, acting as a total body, is expected to select “textbooks” (instructional materials) for each group for recommendation to be approved and published in the yearly Official State Multiple List of Instructional Materials.

ADOPTION PERIOD* July 1 - June 30	GROUP	SUBJECTS	
		Required subjects, as applicable, in Early Childhood Education, Middle Childhood Education, and Adolescent Education, unless otherwise indicated.	
		Early and Middle Childhood Education	Adolescent Education
2009 to 2015	VI	Foreign Language	Foreign Language Driver Education Dance Theatre
2010 to 2016	IV	Mathematics	Mathematics
<u>2010 to 2015</u>		Family & Consumer Science Vocational Agriculture	Family & Consumer Science Vocational Agriculture
2011 to 2017	III	Social Studies	Social Studies
2012 to 2018	V	Science Health	Science Health
2013 to 2019	I	English Language Arts (Reading)	English Language Arts (Literature)
2014 to 2020	II	English Language Arts (Composition, Grammar, Handwriting, Journalism Spelling and Speech)	English Language Arts (Composition, Grammar, Handwriting, Journalism Spelling and Speech)
2015 to 2021	VI	Foreign Language Music Visual Art	Foreign Language Driver Education Dance Theatre Vocational Agriculture Family & Consumer Science Music

126CSR35

			Visual Art

The West Virginia Instructional Materials Review/Advisory Committee commences its studies approximately one year prior to the beginning date identified above.

*The adoption period is based on the fiscal year and is established for six years unless otherwise indicated. The date on the *left* marks the *beginning* of the adoption; the one on the *right* indicates the *end* of the adoption. Adopted December 12, 1955; revised December 5, 1957; revised December 12, 1962; revised June 13, 1967; revised May 26, 1969; revised September 19, 1969; revised June 26, 1970; revised September 10, 1970; revised April 18, 1972; revised April 12, 1974; revised June 12, 1981; revised April 2, 1982; revised May 13, 1983; revised June 14, 1985; revised April 18, 1992; revised April 11, 1996; revised August 14, 2000; revised November 14, 2006; revised September 2007.

POLICY2445.40: (Groupings for Textbook Adoption for Early Childhood Education, Middle Childhood Education, and Adolescent Education)

Comment Log

October 10, 2007 – November 7, 2007

Action	Type
N: No Response	- Negative
NA: Not Accepted	+Positive
A: Accepted	0Neutral

DATE	Individual/Organization	Comment	Action/Type	Rationale
		NO COMMENTS RECEIVED		

FISCAL NOTE WORKSHEET
(Submit 4 Copies)

HD NO _____ DRAFT NO _____ BILL NO _____ RESOLUTION NO _____

SUBJECT Policy 2445.40: Groupings for Textbook Adoption 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 LOONG-RANGE

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): N/A

This legislative rule establishes the procedures for notifying publishers of upcoming "textbook" (instructional materials) adoptions and gives instructions for submitting bids.

DATE

AGENCY

AUTHORIZED REPRESENTATIVE

September 28, 2007 West Virginia Department of Education

