

WEST VIRGINIA
SECRETARY OF STATE

JOE MANCHIN III

ADMINISTRATIVE LAW DIVISION

Form #5

Do Not Mark In This Box

FILED

2003 MAR 14 A 9:57

OFFICE WEST VIRGINIA
SECRETARY OF STATE

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 §18-1-1 and 4; 18-2-5 and 6; 18-2E-4, 5, 7 and 8; 18-5A-4; 18A-1-1; 18A-3-26; and 18A-3a

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: 42

TITLE OF RULE BEING AMENDED: Assuring the Quality of Education: Regulations
for Education Programs (2510)

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 April 13, 2003



Steven L. Paine
Deputy State Superintendent of Schools

EXECUTIVE SUMMARY

POLICY 2510 ASSURING THE QUALITY OF EDUCATION: REGULATIONS FOR EDUCATION PROGRAMS

Background:

The most recent revision of Policy 2510 inadvertently omitted the elective requirements for grades 9 - 12 that are in effect until July 1, 2004. Elective requirements effective after July 1, 2004 are reflected in Chart V of the current policy. In order to accurately specify current requirements it is necessary to include them as Chart V(A) and rename the new requirement section Chart V(B).

Purpose:

The purpose of this Board item includes the current 9 - 12 elective requirements in Policy 2510 as Chart V(A), renamed the new elective requirement section as Chart V(B), and repealed Policy 2444.01.

Summary of Comments:

Policy 2510 was placed on public comment until February 14, 2003. No comments were received as a result of the comment period.

126CSR42

FILED

TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION

2003 MAR 14 A 9 59

OFFICE WEST VIRGINIA
SECRETARY OF STATE

SERIES 42

Assuring the Quality of Education: Regulations for Education Programs (2510)

§126-42-1. General.

1.1. Scope. - This legislative rule establishes the regulations for all education programs that are to improve the quality of teaching and learning in the public schools and ensure that equal education opportunities exist for all students, including, but not limited to: comparably high quality programs of study, effective instructional strategies, work-based experiences, support programs, personnel, instructional materials, supplies, equipment, technology integration, and facilities.

1.2. Authority. - W.Va. Constitution, Article XII, §2; W.Va. Code §§18-1-1 and 4; 18-2-5 and 6; 18-2E-4, 5, 7, and 8; 18-5A-4; 18A-1-1; 18A-3-26; and 18A-3a.

1.3. Filing Date. - March 14, 2003.

1.4. Effective Date. - April 13, 2003.

1.4.1. Unless specified otherwise within the policy.

1.5. Repeal of Former Rule. - This legislative rule amends W. Va. §126CSR42 "Assuring the Quality of Education: Regulations for Education Programs (2510)" filed June 7, 2002 and effective July 7, 2002 and repeals W.Va. §126CSR30 "Graduation Requirements for WV Public Schools: Adolescent Education (Grades 9-12)".

§126-42-2. Purpose.

2.1. The West Virginia Board of Education is committed to establishing high academic standards and providing high quality programs for every student in West Virginia's public schools. The Board will collaborate with parents, educators, communities, business and industry, and higher education to fulfill this commitment. It is important that local boards of education, the school, community, students and families of students cooperate to establish high expectations for student performance and become actively involved in the education process, thereby enabling students to succeed in the classroom and the workplace, lead rewarding and productive lives, and participate responsibly in society.

126CSR42

2.2. Each county education program shall provide the necessary resources, including technology, to ensure that students attain high standards of performance. At early levels, students will achieve basic skills in reading, writing, mathematics, and computer applications. Achievement in these skills will provide the foundation for later intellectual challenges in all programs of study. Students will explore their interests and abilities and engage in relevant activities to help them understand the world of work. Technology will be a tool to help achieve these standards in all schools. The West Virginia Board of Education anticipates the provision of sufficient resources and support, including an adequate system of professional development, appropriate instructional materials, and reliable assessment measures, to realize the West Virginia Education Goals listed in Sec. 3.1.

2.3. Schools, in cooperation with county boards of education, will determine their individual approaches, pursuant to this policy, to assist students in mastering the adopted content standards and objectives. Appropriate accountability measures will ensure that students and educators achieve high levels of performance.

§126-42-3. Scope.

3.1. The major purposes of these regulations are to improve the quality of learning and teaching in the public schools and to ensure that equal education opportunities are provided to all public school students. Equal education opportunities to achieve one's potential include, but are not limited to comparably high quality programs of study, including work-based experiences; student support programs; personnel; facilities; instructional materials; supplies; equipment; technology integration; and effective instructional practices. Given the demands of the world and workplace today, it is essential that all students be prepared for success in post-secondary education and work.

3.1.1. Education Goals. (W. Va. Code §18-1-4)

a. Through the combined efforts of the government, the school system and the people, the following West Virginia Education Goals will be achieved:

- A. all children entering first grade will be ready for the first grade;
- B. all students will have equal education opportunity;
- C. 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 50 percent;
- D. ninety percent of ninth graders will graduate from high school;

126CSR42

E. 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 50 percent; and

F. all working age adults will be functionally literate.

3.1.2. Refined Goals.

a. The West Virginia Board of Education in December 2000 adopted the following refined goals:

A. Ready children to learn;

B. Teaching all children to read;

C. Ensuring individual mastery of the basic skills in reading, writing and mathematics;

D. Building middle level education;

E. Strengthening adolescent education (9-12);

F. Developing responsibility, citizenship and strong character in students;
and

G. Preparing for and providing lifelong learning.

3.1.3. Strategies for Achieving Goals

a. The following strategies will be employed to achieve the West Virginia Education Goals and Refined Goals:

A. Creating/strengthening partnerships with parents, the community and other agencies;

B. Using research-based practices;

C. Communicating more information to parents and the community, and keeping that information concise, accurate and understandable;

D. Using technology wherever feasible;

E. Aligning curriculum and instruction K-16;

126CSR42

- F. Improving schools;
- G. Changing/increasing expectations;
- H. Refining the system of assessment and accountability;
- I. Overhauling the system of professional development;
- J. Ensuring that educators have the skills to teach and foster the development of children;
- K. Providing more instructional time for students who need it;
- L. Changing teacher practices and assessment to encourage critical and creative thinking; and
- M. Providing a safe and nurturing environment for all students.

3.2. Thorough and Efficient System - Ensuring a quality education implies that a thorough and efficient education system exists that provides equal access to substantive curricular offerings and appropriate related services for all students. Providing such an education system must be the goal of the West Virginia Board of Education, West Virginia Legislature, West Virginia Department of Education, county boards of education, and the people of West Virginia. This policy provides the basic structure for all education programs and student support services necessary for a thorough and efficient system of education to be available to all students. The elements of a thorough and efficient system of education are:

3.2.1. high quality education programs, student support services, and work-based experiences;

3.2.2. high quality administrative and instructional practices, personnel, facilities, instructional materials, technology integration, supplies, and equipment;

3.2.3. a safe and caring environment that fosters supportive relationships, is free from harassment, intimidation, bullying, discrimination and other inappropriate forms of conduct, and involves parents;

3.2.4. a demanding curriculum for all students, with emphasis on the core academic programs of study, coupled with high expectations communicated to students, parents, and communities, and

3.2.5. accountability measures to ensure the public that a thorough and efficient

126CSR42

system of education is being provided to students enrolled in the public schools of West Virginia.

3.3. System Requirements - The system of education shall provide opportunity for every child to develop: literacy skills; technology utilization skills; the ability to perform mathematical functions; the ability to make informed choices among persons and issues that affect his or her governance; the ability to assess self and the total environment to know options and choose life work; the ability to perform in the world of work and post-secondary education; the ability to live a healthy lifestyle; the ability to participate in recreational activities; an understanding of the creative arts; and a sense of responsibility to facilitate compatibility with others in society.

§126-42-4. General Responsibilities.

4.1. The responsibility for developing and implementing high quality education programs is shared as follows:

4.1.1. Responsibility of the West Virginia Board of Education - The West Virginia Board of Education has primary responsibility for defining and assuring the delivery of a thorough and efficient system of education through the state superintendent of schools and the West Virginia Department of Education. Given this responsibility, the West Virginia Board of Education shall:

- a. adopt high quality education standards pertaining to all education programs, education personnel development, and related services;
- b. adopt policies providing equal education opportunities for all students that equip them with the skills and knowledge to succeed, to learn throughout their lifetimes, and to attain economic self-sufficiency;
- c. serve as an advocate for a thorough and efficient system of public education;
- d. establish partnerships with higher education, business and industry, labor, and community agencies to assure preparation of graduates for college, other post-secondary education, and gainful employment and to achieve the goals of this policy;
- e. assist county boards of education and other participating agencies in implementing and operating high quality education programs and related services;
- f. receive, disburse, and administer state and federal funds designated for the implementation and operation of education programs and related services;
- g. monitor the implementation and operation of education programs and

126CSR42

related student support services to ensure compliance with state and federal laws and policies;

h. provide an effective mechanism for citizens to register concerns if they believe that elements of a thorough and efficient education program are not being provided pursuant to constitutional provisions, statutes, and/or policy;

i. provide exceptions and consideration for extenuating circumstances, when suitable alternatives are proposed that ensure the attainment of the same or higher standards through the waiver process outlined in W. Va. Code §18-5A-3, and

j. report progress toward attainment of state education goals to the public and the Legislature.

4.2. Responsibility of the West Virginia Department of Education - The West Virginia Department of Education has a primary leadership role in 1) defining and developing the framework for education programs and services, 2) assisting county boards of education to ensure delivery of these programs and student support services, and 3) assuring the West Virginia Board of Education, the Legislature, and the public that a thorough and efficient system of education is being provided. It is the further responsibility of the Department to:

4.2.1. work for and provide staff support to the state superintendent of schools and the West Virginia Board of Education;

4.2.2. provide technical assistance to county boards of education, institutions of higher education, and related agencies;

4.2.3. encourage the use of best practices based on research;

4.2.4. disseminate information concerning the content and implications of standards, policies, and state and federal laws to county boards of education, institutions of higher education, the business community, parents, professional organizations, educational agencies, and other individuals and groups;

4.2.5. develop procedures, guidelines, and technical assistance documents necessary to implement the West Virginia Board of Education policies and state laws;

4.2.6. develop, provide, and participate in programs for professional development;

4.2.7. monitor the implementation of education programs;

126CSR42

4.2.8. administer funds provided and/or authorized by the Legislature and other sources;

4.2.9. maintain appropriate records and reports on the status of education programs and approved education personnel development programs;

4.2.10. be accountable to the public and the Legislature through the "West Virginia Report Cards"; and

4.2.11. provide recommendations to the West Virginia Board of Education to update a plan for a thorough and efficient system of public education.

4.3. Responsibility of Regional Education Service Agencies (RESAs) - In order to consolidate and effectively administer education programs and service delivery, RESAs shall:

4.3.1. facilitate equality in the education offerings among counties;

4.3.2. seek to deliver high quality education programs at lower per student cost;

4.3.3. reduce administrative and/or operational costs;

4.3.4. maintain a uniform, integrated regional computer information system (West Virginia Education Information System) (WWEIS);

4.3.5. develop and implement staff development programs, and

4.3.6. provide other education or support services as deemed appropriate by the West Virginia Board of Education, the RESA Board of Directors, or required by legislation or policy.

4.4. Responsibility of County Boards of Education - It is the responsibility of each county board of education to plan, deliver, and evaluate the education programs and student support services necessary to implement a thorough and efficient system of public education. The programs of study and student support services mandated by regulations must be made available to all students. In carrying out this responsibility, a county board of education may: 1) cooperate with one or more counties in establishing and maintaining joint programs, 2) use regional services or contract for services with public or private agencies having appropriate programs, and 3) coordinate and share programs, related services, and resources with other organizations, agencies, and local businesses. Regardless of the method chosen, each county board of education shall: 1) collaborate with local business and community groups through establishment of partnerships and a county steering committee; 2) be responsible for conducting a technology needs assessment and establishing a county technology team that will develop a county

126CSR42

technology plan for the use of technology to improve instruction (See Policy 2470 and Policy 2450) 3) be responsible for developing a Unified County Improvement Plan and distributing the county board's resources as determined by the plan; and 4) be accountable to the public through the annual "West Virginia Report Card."

§126-42-5. Glossary.

5.1. Acceleration - Moving through a prescribed course at a faster or earlier rate. Acceleration includes, but is not limited to, compacted classes/schedules, testing out, early school entrance, double promotion, subject skipping, early graduation, fast-paced curriculum, dual credit courses, and the College Board's Advanced Placement courses.

5.2. Adolescent Education - The education program that addresses the intellectual, physical, social/emotional, and career preparation needs of students across all programs and areas of study in grades 9-12.

5.3. Adult Education - The education program that addresses the intellectual, physical, social/emotional, and career development needs of persons 16 years of age and older who are not enrolled in school.

5.4. Area of Study - A logical subdivision of the subject matter contained within a program of study. For example, geometry and algebra are areas of study within the mathematics program of study.

5.5. The Arts - The programs of study for dance, music, theatre and visual arts.

5.6 Bank Time - Time added beyond the required instructional day which may be accumulated and used in larger blocks of time during the school year for instructional or non-instructional activities. (See Sec. 7.2.14)

5.7. Benchmarks - Indicators for grades K-3 of student progress in learning reading and mathematics; the indicators, when used with available informal assessments, provide teachers and parents with a means to measure whether or not students are progressing satisfactorily in learning the basic skills of reading and mathematics.

5.8. Career Awareness - The opportunity for students to learn about and develop an appreciation of the broad concepts related to work, careers, and educational preparation.

5.9. Career Clusters - Broad grouping of related occupations representative of the type of occupations available in the world of work.

126CSR42

5.10. Career Development - The process through which a student comes to understand the world of work. Kindergarten through fourth grade focuses on career awareness; fifth grade through eighth grade focuses on career exploration; ninth and tenth grade focuses on career exploration and decision-making; and eleventh grade through adult focuses on career preparation.

5.11. Career Exploration - The opportunity within the education program for students to conduct self-assessment, access career information, examine multiple career options, and initiate education planning based on a tentative career focus.

5.12. Career Majors - A grouping of occupations with significant commonalities within a career cluster.

5.13. Certificate of Proficiency - A certificate awarded in addition to the high school diploma, containing specific information regarding the graduate's skills, competence, and readiness for further education and employment. (See Sec. 8.2.4)

5.14. Character Education - An integrated and comprehensive approach to promote an understanding and inspire development of general character traits such as respect, responsibility, caring, citizenship, justice and fairness, and trustworthiness. Character Education utilizes existing curricula, along with new and existing projects, programs and activities such as: Responsible Student Program, Respect and Protect, Get Real About Violence, Life Skills Training, Peer Mediation, Conflict Resolution, Student Assistance Teams, etc.

5.15. Class Period - A block of time provided for instruction in a course within a program of study.

5.16. Classroom Management System - The organization of the activities and environment of a classroom that are essential to teaching and learning.

5.17. Co-curricular Activities - Activities that are closely related to identifiable academic programs and/or areas of study that serve to complement academic curricula. (See Sec. 7.3.1.q)

5.18. Concentration - A series of credits directly related to a student's chosen career major and postsecondary goal (pathway). The technical concentrations offered by the school must be aligned with local, state and national job market opportunities.

5.19. Content standards - A broad description of knowledge and skills that students are expected to acquire in a content area.

5.20. Core Academic Programs of Study - The Reading and English language arts,

126CSR42

mathematics, science, and social studies programs of study.

5.21. Core Curriculum - The programs of study that, when delivered effectively, enable students to master the knowledge and skills needed to succeed in other programs of study, the workplace, college, and other post-secondary education.

5.22. County Steering Committee - A committee that includes parents and representatives from business, labor, higher education, economic development, local school improvement councils (one member from each programmatic level, K-4, 5-8, 9-12), faculty senates (one teacher from each programmatic level, K-4, 5-8, 9-12), students (one from each programmatic level 5-8 and 9-12) and other organizational entities in the community.

5.23. Course - An area of study defined by approved content standards and objectives. The time required for mastery may vary. Schools shall provide reteaching through a variety of strategies which may include, but are not limited to, restructuring the school day, providing extra tutorial sessions, utilizing appropriate technology, extending the school day, and/or extending the school year.

5.24. Developmental Guidance - Planned activities and experiences designed to meet content standards and objectives derived from student needs assessments in the area of self-understanding, self-concept, interpersonal relationships, decision-making, career awareness, career exploration, and educational/career choices. (See Policy 2315)

5.25. Diploma - Formal documentation and recognition that a student has satisfactorily completed the graduation requirements of the state and county school district. A Modified Diploma is awarded when a student, who has severe disabilities, satisfactorily completes modified graduation requirements. Students with severe disabilities are defined as those students with impairments so severe that instructional objectives for required and elective courses are not appropriate, even when delivered in altered form or through different strategies, i.e., changes in delivery, specially designed instructional objectives, teaching strategies, media/resources, and evaluation techniques. The Individualized Education Program (IEP) Team determines if the student is unable to meet the graduation requirements for a regular diploma. The modified graduation requirements are recorded on the student's IEP and Individualized Student Transition Plan.

5.26. Dual Credit Course - Courses that provide students both high school and college credit. Such courses must meet both the specified course content standards and objectives for secondary offerings and the college course requirements.

5.27. Early Childhood Education - The education program that addresses the intellectual, physical, social/emotional, and career awareness needs of learners across all programs and areas of study in grades Pre K-4.

126CSR42

5.28. Education Program - A structure for defining, delivering, and being accountable for a thorough and efficient system of education. This structure is applicable at the state, county, and school levels.

5.29. Elective Courses - Courses students may choose to study based on need and interest:

5.29.1. Required elective courses must be available to the student sometime during the appropriate programmatic level.

5.29.2. Optional elective courses may be made available by the county board of education, school or other entity based on student need and interest, but they are not required to be made available.

5.30. Enrichment - Instruction that allows the student to study a subject more broadly or in greater depth.

5.31. E-Portal - A web site or service that provides a broad array of resources and services. The Department of Education's E-portal may contain a test item bank, juried and other lesson plans, research and best practice information, links to other sites, and other instructional assistance.

5.32. Extracurricular Time - Time that is not part of the required instructional day or curricular offerings but is under the supervision of the school. It may be used for athletics, non-instructional assemblies, social programs, entertainment and other similar activities. Extracurricular activities may not be scheduled during the instructional day. (See Sec. 7.2.14.c)

5.33. Foundation course - elective courses that enhance students' skills or provide an introduction to further in-depth studies in a technical concentration. These courses are generally offered at the 9th or 10th grade levels. Examples include: technology education; parenting; adult roles and functions; and business courses taken outside of a business-related major.

5.34. Grade/Instructional Level - The class structure that is used to organize and deliver education within West Virginia public schools. The public school education experience is divided into levels, pre K-12.

5.35. Graduation Requirements - Graduation requirements are the number of required and elective units of credit that must be earned by a student in order to be graduated from high school. A diploma is the document that is awarded to a student to verify completion of these graduation requirements. (See Sec. 6.4.13)

126CSR42

5.36. Honors and Advanced Placement - Honors programs expand the academic content in a given program of study and may include, but are not limited to, research and in-depth studies, mentorships, internships, content-focused seminars, and extended instruction in a content area. Advanced Placement courses are advanced in terms of content and performance expectations for the age/grade level of students and provide credit toward graduation and possibly college credit upon passing an examination through The College Board.

5.37. Individualized Education Program (IEP) - A written plan, developed by both regular and special educators, parents, related service personnel and the student describing the specially designed instruction needed for an eligible exceptional student to master the content standards and objectives and/or be prepared for the workplace. (See Policy 2419)

5.38. Informal Item Bank - A resource available through the Department of Education's web site/E-portal that provides access to sample test questions from the statewide testing program for the core content programs of study, juried and other lesson plans, research and best practice information, links to other instructional sites, and other instructional assistance.

5.39. Instructional Day - Time allocated within the school day for the teaching and mastery of content standards and objectives. The minimum instructional day for K-4 is 315 minutes, 5-8 is 330 minutes, and 9-12 is 345 minutes. (See Sec. 7.2.12 for the minimum percentage of students who must be in attendance as defined by Policy 4110 in order for the day to be counted as an instructional day.)

5.40. Instructional Goal - See Sec. 5.18, Content standards and objectives.

5.41. Instructional Objective - Incremental step toward accomplishment of a content standard. Objectives usually are organized by grade level.

5.42. Instructional Practices - The strategies, procedures, methods, techniques, and behaviors used by teachers to help students attain the instructional goals and objectives of a program of study.

5.43. Instructional Term - The period of time from the opening of school to the closing of school. The specific dates for each county's instructional term are set by the county board of education and must include a minimum 180 days of instruction. (W. Va. Code §18-5-15)

5.44. Interdisciplinary Area of Study/Instruction - A delivery system integrating instructional goals and objectives from different programs and/or areas of study.

126CSR42

5.45. Juried Lesson Plans - Instructional units, normally web-based, covering any number of class periods, that have been aligned to content standards, reviewed by teachers, and shown to be effective based on actual use in the classroom.

5.46. Local School Improvement Council - A local advisory group composed of three teachers, three parents, two service employees, the principal, two at-large members appointed by the principal, and one student from a school enrolling students in grade seven or higher. The Council: focuses on improving the education program and operation of the school; has authorization to request waivers of local or state rules, policies, and state superintendent interpretations; assists in the development of the Unified School Improvement Plan; and can apply for grants and awards.

5.47. Middle Childhood Education - The education program that addresses the intellectual, physical, social/emotional, and career exploration needs of students across all programs and areas of study in grades 5-8.

5.48. Partners in Education - Businesses or other community organizations formally linked with an individual school sharing human resources, expertise, and time in a collaborative manner to provide students with enhanced learning opportunities.

5.49. Pathway - Designation of a student's intended postsecondary goal within the five-year education plan and the level and sequence of courses needed to achieve that goal. **Professional** (Baccalaureate Degree or above); **Skilled** (Associate Degree or Postsecondary Certificate); or **Entry** (entry into the workplace directly after high school).

5.50. Performance Descriptors - Narrative descriptions of how well students achieve success on the content standards and objectives. West Virginia has designated three performance levels: distinguished, mastery and partial mastery. Performance descriptors depict student achievement at each of those three levels for each content standard.

5.51. Performance Levels - Levels of student mastery of the content standards and objectives. The levels are "Partial Mastery," "Mastery" and "Distinguished." Performance descriptors for each of these three levels are/will be available for at least the core academic programs of study. A general description of each performance level is listed below:

5.51.1. Distinguished - Superior performance that goes beyond level or course expectations.

5.51.2. Mastery - Solid academic performance in grade level or course expectations. Students demonstrate competency in challenging subject matter, can apply knowledge and skills to real-world situations, and can use analytical skills appropriate to

126CSR42

the subject matter.

5.51.3. Partial Mastery - Incomplete mastery of prerequisite knowledge and skills that are necessary for success in the course or grade level.

5.52. Performance Standards - A system of describing and categorizing student achievement which has four basic components: levels of performance (See Sec. 5.51); performance descriptors (See 5.50); cut scores from statewide assessments that set parameters for the designation of levels of performance; and exemplars of student work for each performance level. West Virginia has designated three performance levels: distinguished, mastery and partial mastery.

5.53. Pre-Kindergarten - The period of time from ages 3 to 5 that is allocated for planned education experiences to address the child's physical, social, emotional, perceptual, and intellectual growth and development. Emphasis is placed on early identification and remediation of physical and intellectual delays in order to enable children to make the most of education opportunities afforded them when they enter kindergarten.

5.54. Process/Workplace Skills - Skills required for success in a career and the workplace including the ability to organize, plan, reason, and use information to solve problems; communicate orally and in writing; work effectively with others; understand and use technology; develop personal skills and attributes; and plan and prepare for a career.

5.55. Program of Study - A curriculum that constitutes the subject matter to be offered. For example, English/language arts, mathematics, social studies, and business education are programs of study.

5.56. Required Basics - The knowledge and skills that are fundamental to learning in all programs of study. Reading, oral and written communication, mathematics, and technology skills are the required basics.

5.57. Required Courses - Those courses that all students must complete.

5.58. Reteaching - Strategies teachers use to ensure mastery of content standards and objectives by all students. The individual school retains the option of selecting and implementing the strategies for the daily reteaching of the students.

5.59. Robert C. Beach Vocational Agriculture Credit - Only students with a declared entry or skilled level major in vocational agriculture (i.e., those whose 5-year plan indicates entry directly into the workforce upon graduation from high school) will, upon their successful completion of a unit of credit in an approved vocational agriculture course above grade 10, be exempt from the third required unit of science credit required for graduation (i.e., the unit above CATS 9 and 10). All other students, including those with declared majors in vocational agriculture at the professional level or who anticipate two-year or four-

126CSR42

year college education, are required to take three units of science as defined by this policy and Policy 2520 for graduation.

5.59.1. To be eligible as a required unit for graduation, the vocational agriculture education course must: (1) build on the concepts and skills in CATS 9 and 10; (2) be taught at a level of greater complexity and depth than that of vocational agriculture courses in grades 9 and 10; (3) have West Virginia Board of Education approved content standards and objectives; and (4) receive West Virginia Board of Education approval as a vocational agriculture course that qualifies as a Robert C. Beach Vocational Agriculture Credit.

5.59.2. The school shall: (1) have on file a Parental Consent Form with signatures of the student, parent(s), and authorized school official that acknowledges the understanding that this class does not represent a substitute for the knowledge, skills and competencies of a third unit of science and that this course does not meet the requirement for the additional unit of laboratory science that West Virginia colleges and universities have for admission; and (2) review with the student and his/her parents, as verified by the Parental Consent Form, that the required third unit of science must be successfully completed if a student should change his/her major from entry or skilled level vocational agriculture education prior to graduation from high school.

5.60. School Day - The time, inclusive of homeroom, class changes, breaks/recess, lunch, and other non-instructional activities from the first designated assembling of the student body in groups (homeroom or first period) to the dismissal of the student body.

5.61. School Improvement - a continuous process to improve student learning opportunities and student achievement. School improvement involves building the capacity of teachers, administrators, service personnel, students, parents, and community members. School improvement is not a destination, but a constant effort to improve student learning.

5.62. Semester - A block of instructional time that is equivalent to at least one-half of the school year. For example, 90 instructional days are equal to a semester in a traditional school term of 180 instructional days.

5.63. Subject - A synonym for an area of study. For example, subject may refer to algebra, economics, or literature.

5.64. Technology Integration - The use of programs of study to help students understand and use technology, and the use of technology to help students master the programs of study.

5.65. Unified County Improvement Plan - A plan that specifies how the county

126CSR42

school system intends to strengthen the county education program in order to increase student achievement. The plan must be developed through a strategic planning process that incorporates data from the Unified School Improvement Plans of the system's schools. (See Sec. 8.3.1.)

5.66. Unified School Improvement Plan - A plan that specifies how the school intends to increase student achievement. The plan must be developed through a strategic planning process and must be based on all available data regarding student achievement. (See Sec. 8.4.1.)

5.67. Unit of Credit - Recognition given to a student for the successful demonstration of mastery of the content standards and objectives at a level established for an approved required or elective high school level course. Partial credit ($\frac{1}{2}$ unit) may also be awarded. The level of mastery shall be determined by the county board of education. Individual students who demonstrate mastery of the content standards and objectives of a particular course must be provided opportunities to progress to the next level. Credit shall also be granted for documented mastery of high school course requirements by a student prior to grade nine or for successful completion of a dual credit course.

5.68. Virtual School - The West Virginia Virtual School was created within the Department of Education by the West Virginia Legislature to provide a variety of high quality, technologically delivered courses for K-12 public school students. The Virtual School initiative will help bridge the barriers of time, distance, and inequities for all West Virginia students by providing access to resources. The Virtual School offers required courses, Advanced Placement courses and a variety of elective, enrichment, remediation and Information Technology (IT) courses.

5.69. West Virginia Report Card - Information provided to parents and the general public on the quality of education in the public schools that is uniform and comparable among schools within and among the various school districts as defined in W. Va. Code §18-2E-4.

5.70. Work Based Learning - Education activities that assist students to gain an awareness of the workplace; develop an appreciation of the relevance of academic subject matter to workplace performance; and gain valuable work experience and skills while exploring career interests and abilities.

5.71. Work Day - Time allocated for the instructional day and other activities such as homeroom, class changes, lunch, planning periods, and staff development that may not exceed eight clock hours.

§126-42-6. Program Definition.

126CSR42

6.1. The education program offered in West Virginia's schools is defined in broad terms as all of the education activities that take place during the school day and the school year. The education program provides education opportunities for students to master the basic skills and to develop the broader knowledge and skills necessary to function effectively in responsible adult roles. The education program is based upon the best information available regarding effective practices and information that is provided through responsible research so that the program of education is efficient and effective. The education program is structured and based on four programmatic levels: early childhood education, middle childhood education, adolescent education, and adult education. Within those programmatic levels, the education program includes the programs of study that make up the curriculum, instructional practices, and student support services.

6.2 Each county board of education shall establish policies and implement written procedures to define its education program in accordance with the definitions and requirements that follow.

6.3. Programmatic Levels - The education program must be based on the following four stages of student development and maturity.

6.3.1. Early Childhood Education (Grades Pre K-4) - Early childhood education is the beginning of formal education in West Virginia public schools. Pre-kindergarten and kindergarten provide developmental activities designed to stimulate the intellectual, physical/motor and social/emotional development of the child and begin the process mastery of the required basics. The education program in grades 1 and 2 gives priority to the mastery of the required basics of reading, writing, mathematics, and computer skills and reinforces the developmental activities with emphasis on integration of career awareness and the use of other technology skills.

6.3.2. Middle Childhood Education (Grades 5-8) - Middle childhood education builds upon the results of early childhood education and provides education opportunities to help students; extend competence in basic skills; develop self-understanding, self-knowledge, independence and interdependence; and engage in exploratory experiences in academic areas and careers. The middle childhood education program builds on and emphasizes extension of the basic skills, including technological skills, broadening of academic skills to assist students in making the transition from childhood to adolescence and experiencing career exploration to develop individual student transition plans for grades nine and ten.

6.3.3. Adolescent Education (Grades 9-12) - Adolescent education provides students the intellectual, social/emotional, physical, and technological capacities for successful entry into adulthood. The adolescent education program provides challenging and rigorous courses in the programs of study that will enable students to achieve high levels of competence so they can complete graduation requirements and be prepared to successfully enter and compete in the workplace and in post-secondary education.

126CSR42

Students in the adolescent education program will have the opportunity to examine a system of career clusters and to select and complete a career major.

6.3.4. Adult Education - Adult education is designed to meet the education, employment and training, economic, civic, cultural, social, and recreational needs of adults in the community served by public schools. These programs are offered by county boards of education or regional education service agencies and are described in Chart VI.

6.4. Programs of Study - Programs of study establish the content and skills (what students should know and be able to do) around which the instructional program is organized and delivered. Programs of study are introduced, emphasized and delivered in different ways at the four programmatic levels. Some programs of study are required to be taken by all students and others are required to be offered to students. The following factors must be addressed as each county board of education defines its programs of study:

6.4.1. The programs of study identified in Charts I-IVB must be available to and be taken by all students as noted in the charts.

a. Transfer Students - Students who transfer into a West Virginia school that has higher graduation requirements may not be able to complete these requirements. In such cases, the student's credits shall be evaluated to determine if one or more county and/or state requirements will be waived by the county or state superintendent.

b. Continuous Enrollment - If a student has been enrolled continuously in grades 9-12, the student shall be expected to meet the graduation requirements that were in effect when he or she entered ninth grade.

c. Re-enrollment - If a student has enrolled after dropping out of school, the requirements that a student must meet depend upon the length of time he or she has been out of school. If the student has been out of school less than one year, he or she would be expected to complete the graduation requirements that were in effect when he or she entered grade nine. If the student has been out of school one year or more, he or she would be expected to complete the current graduation requirements.

6.4.2. The courses needed for graduation (Charts IVA and IVB) require mastery of the West Virginia Board of Education and county board of education approved content standards and objectives. The county board of education shall determine the level of mastery which constitutes successful completion of a course.

6.4.3. Additional programs of study not identified in Chart V may be offered to afford students the opportunity to attain mastery of the content standards and objectives, to broaden and enrich their education, and to support academic and career development.

126CSR42

6.4.4. Any elective offering must be based on West Virginia Board of Education approved content standards and objectives if available or on written content standards and objectives that are approved by the county board of education.

6.4.5. Chart VI identifies programs of study that provide lifelong learning opportunities for adults so that they may maintain, acquire, or enhance functional and/or technical literacy.

6.4.6. Students shall receive credit for courses based on tested mastery or demonstrated mastery of the content standards and objectives associated with successful completion of a course for which at least 8100 minutes of instructional time per unit of credit (or at least 4050 minutes per $\frac{1}{2}$ unit) have been scheduled or otherwise approved by the WV Virtual School. Each county board of education shall adopt and implement a policy governing tested mastery which addresses at least the following issues:

a. The option to demonstrate mastery through a test is available only for high school credit.

b. The intent of the "testing out" option is to give students time to pursue higher level studies if they have already mastered prerequisite knowledge and skills.

c. A testing "window" shall be established as part of the test management system.

d. Criteria shall be established to determine if a student qualifies to take a particular test. Criteria shall include the student's past performance in courses in that discipline.

e. Each test is developed by educators who are appropriately credentialed.

f. The test reflects the totality of the state and local content standards and objectives for the course credit to be awarded.

g. The test provides students an appropriate opportunity to demonstrate mastery of the entire course through a variety of types of questions, a range of levels of questions, and performance-based methods appropriate to the discipline.

h. Procedures for handling, scoring and storing of tests shall be conducted in a manner consistent with procedures outlined in the Testing Code of Ethics/Security Agreement that has been distributed to all county test coordinators and superintendents.

6.4.7. Students who demonstrate mastery of content standards and objectives

126CSR42

must be provided opportunities to progress to the next level of instruction.

6.4.8. Technology must play a major role in the delivery of all programs of study. Technology will be used as part of the delivery process for instruction and providing information for students. The use of technology, particularly computers, will also be a part of the curriculum so that students develop skills and know how to use technology as an effective tool for learning, processing information, and communicating information to others.

6.4.9. County boards of education must make a variety of career cluster options available to students in order to ensure that students understand the breadth and scope of careers in the world of work.

6.4.10. Linkages must be established that enable school personnel and businesses to provide work-based experiences to support and enhance the programs of study and career development of each student.

6.4.11. Accepting Credits Earned Before Grade 9 - Any student who successfully completes a high school level course prior to grade nine shall receive full credit for that course toward graduation requirements. The student's permanent record for grades 9-12 shall indicate completion of the courses. The grade for any course taken prior to grade nine becomes part of the student's permanent record and is calculated in the student's GPA (grade point average).

6.4.12. County boards of education shall adopt policies that allow students to earn credit for completion of college work. If these credits are to be used to meet graduation requirements, they must meet the requirements for a dual credit course. (See Sec. 5.26)

6.4.13. Graduation Requirements - The state graduation requirements total 24 credits. See Charts IV (A) and IV (B) for specific credits required for graduation.

6.4.14. Authority for County Boards of Education to Increase Graduation Requirements. County boards of education have the authority to increase these requirements for schools in their counties. The county superintendent shall notify the West Virginia Department of Education of any changes in requirements beyond the state requirements.

6.4.15. Grades on end-of-course examinations - The second year that end-of-course examinations are implemented as part of Policy 2340, the grade received by the student on any of those examinations shall constitute no less than 15% of the student's grade for the course.

6.4.16. Attendance - The following rules shall govern student attendance in

126CSR42

grades 9-12:

a. Attendance for the full school day for all four years during grades 9-12 is important so that students obtain the full benefit from the educational programs offered in the schools of West Virginia. Therefore, all students shall be scheduled for the full instructional day for all four years. Exceptions may be made by county boards of education to accommodate placement in college courses, advanced vocational/technical programs, participation in the WV Virtual School, or for other compelling circumstances.

b. County boards of education shall develop and implement a policy that defines the circumstances under which students may attend school for fewer than four full years and/or may be scheduled for courses for less than the full instructional day. The policy must be approved by the state superintendent.

c. Each county shall submit an annual attendance report to the Department of Education covering each school housing students in any grade 9 through 12. The report shall list the number of students in each of those schools scheduled for less than the full instructional day and the reasons, based on the county policy, for the exceptions granted. The report shall also list the total number of students in each school who have been granted exceptions to the requirement that they attend school for four full years and the reasons, based on county policy, for the exceptions granted.

d. The Department of Education shall submit an annual report to the West Virginia Board of Education summarizing the attendance reports received from the county school systems.

Chart I

Early Childhood K-2

These core programs of study shall be taught daily with a reteach component ensuring mastery of the content standards and objectives. Reteaching is to occur daily for those students needing more help.

Reading and English Language Arts

Mathematics

These required programs of study may be taught as separate or integrated programs but need not be taught daily.

Science

Social Studies

Art

Music

Physical Education

Health

Components of career awareness and the application of technology shall be included during instruction in all subjects.

The study of foreign language is encouraged.

Students demonstrating mastery of instructional grade level objectives in the programs of study are to be provided the opportunity to advance to the next grade level objectives.

Chart II

Early Childhood 3-4

These core programs of study shall be taught daily with a reteach component ensuring mastery of the content standards and objectives. Science and Social Studies may be taught as separate or integrated programs. Reteaching is to occur daily for those students needing more help.

Reading and English Language Arts
Mathematics
Science
Social Studies

These required programs of study may be taught as separate or integrated programs but need not be taught daily.

Art
Music
Physical Education
Health

Components of career awareness and the application of technology shall be included during instruction in all subjects.

The study of foreign language is encouraged.

Students demonstrating mastery of instructional grade level objectives in the programs of study are to be provided the opportunity to advance to the next grade level objectives.

Chart III

Middle Childhood 5-8

These core programs of study shall be taught daily with a reteach component ensuring mastery of the content standards and objectives. Schools implementing alternative schedules will provide equivalent instructional time for these programs of study.

Reading and English Language Arts
Mathematics
Science
Social Studies

These required programs of study shall be taught at each grade level each year as separate subjects.

Art
Music*
Physical Education
Health

These required programs of study shall be taught annually.

Career Exploration**
Developmental Guidance***
Foreign Language****

Career awareness and the application of technology shall be taught in all programs of study. Students demonstrating mastery of instructional grade level objectives in the subjects are to be provided the opportunity to advance to the next grade level objectives.

* Choral and instrumental music must be offered no later than grade six.

** These experiences based on content standards and objectives must be provided to students during grades five through eight and may be integrated or taught as a separate course. Where feasible, consideration should be given to using modular technology education labs to enhance career exploration.

*** This may be integrated or taught as a separate course.

**** Foreign language is encouraged to be taught as a separate program in grades five and six.

Two years of the same foreign language must be offered for students in grades seven and eight. The foreign language(s) chosen to be offered must be taught at the high school the middle school students will attend. Schools may choose from two learning sequences:

1. 7th grade exploratory course(s)/8th grade Level I of the foreign language. Students will receive one high school credit at the end of 8th grade upon mastery of the content standards for the Level I course.

2. 7th grade Level IA of the foreign language/8th grade Level IB of the language. The Level I course is delivered over a two year period. Students will receive one high school credit upon mastery of the content standards for the course.

Chart IV (A)**Adolescent 9 - 12**

These graduation requirements are effective for students entering grade 9 in the school years 1999-2000 through 2003-2004.

Requirements for Graduation**English Language Arts**

4 credits

English 9, 10, 11, 12

Mathematics*

3 credits

Two of the three credits will be Algebra I and above.

Science**

3 credits

Coordinated and Thematic Science 9, Coordinated and Thematic Science 10, and one course above Coordinated Thematic Science 10 level.

Social Studies

3 credits

United States to 1900, World Studies to 1900, and Twentieth/Twenty-First Centuries

Physical Education

1 credit

Health

1 credit

The Arts

1 credit

Career Majors***

4 credits (Career majors are to be determined at the local school or county level.)

Electives

4 credits (chosen from the school's offerings of electives)

Work-based Learning****

(Work-based Learning will be determined at the local level.)

Credit is to be awarded based upon either demonstrated mastery of the content standards and objectives through successful completion of the course or through tested mastery of approved contents standards. (See Sec. 6.4.6.) The county board of education shall determine the level of mastery which constitutes successful completion of a course.

Students demonstrating mastery of instructional grade level objectives in the subjects are to be provided the opportunity to advance to the next grade level objectives.

* Successful completion of Applied Math I and II is equivalent to an Algebra I credit. Applied Geometry may be substituted for a formal course of geometry.

** With parental consent, students with a declared entry or skilled level major in vocational agriculture will, upon successful completion of a Robert C. Beach Vocational Agriculture credit in grade 11 or 12, be exempt from the third required unit of credit in science. (See Sec. 5. 59.)

*** Prior to students selecting career majors, opportunities for career decision making must be provided.

**** The decision regarding credit for the experiences at grades 9 - 12 will also be made at the local level.

All students are strongly encouraged to complete two credits in a foreign language. Elective

offerings not based on West Virginia Board of Education content standards and objectives must have written content standards and objectives approved by the county board of education.

Chart IV (B) Adolescent 9 - 12

These graduation requirements are effective for students entering grade 9 in the school year 2004-2005 and thereafter.

Requirements for Graduation

CORE REQUIREMENTS (17 CREDITS)	
<p>English Language Arts 4 credits <i>English 9, 10, 11, 12</i></p> <p>Mathematics* 3 credits <i>Two of the three credits will be Algebra I and above</i></p> <p>Science** 3 credits <i>Coordinated and Thematic Science 9, Coordinated and Thematic Science 10, and one course above Coordinated and Thematic Science 10 level</i></p>	<p>Social Studies 4 credits <i>United States to 1900, World Studies to 1900, Twentieth and Twenty-First Centuries Civics</i></p> <p>Physical Education 1 credit</p> <p>Health 1 credit</p> <p>The Arts 1 credit</p>

- * Successful completion of Applied Math I and II is equivalent to an Algebra I credit. All students must take Algebra I or its equivalent prior to the end of tenth grade. Applied Geometry may be substituted for a formal course of geometry.
- ** With parental consent, students with a declared entry or skilled level major in vocational agriculture will, upon successful completion of a Robert C. Beach Vocational Agriculture credit in grade 11 or 12, be exempt from the third required unit of credit in science (See Sec. 5.59.)

126CSR42

CAREER MAJOR CREDITS (4 Credits)		
Professional Pathway	Skilled Pathway****	Entry Pathway****
Mathematics 4 th credit which must be above Algebra I*** Natural Science 4 th credit Foreign Language 2 credits in one language	Mathematics 4 th credit which must be above Algebra I*** Concentration 3 credits*****	Concentration 4 credits*****

*** These students must earn four credits in mathematics including Algebra I and two other courses above Algebra I. See Secs. 8.2.6.D, E and F for a process allowing students and their parent(s) to substitute other career major credits for these credits. The student and his/her parents, when choosing to substitute other courses, must sign a form stating that they understand that in so choosing the student will not meet admission requirements for a baccalaureate degree program at any West Virginia public college or university.

**** The four concentration units provided students in entry-level technical majors and two of the concentration units at the skilled level must be consistent with those defined in the Required Technical Courses by Career Major technical assistance document published by the Department of Education.

***** Each technical concentration in a school shall obtain and maintain an appropriate industry recognized accreditation/certification, when one is available, and shall provide students the opportunity to obtain that industry-recognized credential as part of the instructional program.

ELECTIVES***** (3 Credits)
The remaining graduation requirements are to be electives.

WORK-BASED LEARNING
All students must participate in a work-based learning experience at some time in grades 9-12. The decision whether to grant credit for these experiences will be made at the local level. (See Sec. 7.2.9)

CAREER DEVELOPMENT
Prior to students selecting career majors, opportunities for career decision-making must be provided in grades 9-10.

Chart V (A) Electives

Adolescent 9-12 (Effective until July 1, 2004)

ENGLISH LANGUAGE ARTS, MATHEMATICS, SCIENCE AND SOCIAL STUDIES

English Language Arts

Drama
Journalism
Mass Media
Television
Film
Speech
Creative Writing
Technical Writing
Desk Top Publishing
AP English Courses
English College Courses

Mathematics*

Applied Mathematics I*
Applied Mathematics II*
Geometry/Applied Geometry*
Algebra II*
Conceptual Mathematics
Trigonometry
Probability and Statistics
Pre-Calculus
Discrete Mathematics
Algebra/Geometry Preparation
Algebra Support
AP Mathematics Courses
Mathematics College Courses

Science**

Advanced Biology (11/12)
Biology - Technical Conceptual (11/12)
Advanced Chemistry (11/12)
Chemistry - Technical Conceptual
(11/12)
Advanced Environmental/Earth Science
(11/12)
Human Anatomy & Physiology
Advanced Physics (11/12)
Physics - Technical Conceptual (11/12)
AP Science Courses
Science College Courses

Social Studies

Civics/Government***
Economics***
Geography***
AP Social Studies Courses
Social Studies College Courses

* Indicates math courses required to be offered. Schools must offer four courses in mathematics at a level above Algebra I.

** A minimum of one course for each of the four fields of science (Biological Sciences, Chemistry, Environmental Earth Sciences, and Physics) must be offered.

*** Required to be offered.

Elective offerings not based on West Virginia Board of Education Instructional Goals and Objectives must have written goals and objectives approved by the county board of education.

The Arts

Electives must be offered to accommodate four sequential levels of student achievement in music (both instrumental and choral) and visual art (general art and/or studio art). Electives must be offered in at least one level of student achievement in dance and theatre beginning with the 1998-99 school year. Electives must be offered to accommodate four sequential levels of student achievement in dance and theatre beginning with the 2001-02 school year. Additional elective offerings may be made available based upon student need and interest.

Career Clusters and Majors

Career cluster options must be made available to students to ensure that students understand the breadth and scope of careers in the world of work. Required career major courses and required electives within the majors will be determined by county board of education. See Sec. 8.210.b.B for rules allowing students to take a higher level or more rigorous course, advanced placement course, or college course in place of a required career major course or a recommended elective course. Career majors must reflect, where appropriate, professional, skilled, and entry level components.

Drivers Education

A minimum of one course must be offered.

Family and Consumer Science

Two elective offerings which include instructional goals and objectives that teach parenting skills to meet the stipulations of West Virginia Code §61-8-9A must be offered.

Foreign Language

A minimum of two levels of one foreign language will be required to be offered. Languages to be offered will be determined by county board of education.

Health

Elective offerings may be made available based upon student need and interest.

Physical Education

Elective offerings may be made available based upon student need and interest.

Note: Elective offerings not based on West Virginia Board of Education Instructional Goals and Objectives must have written goals and objectives approved by the county boards of education.

Chart V (B) Electives

Adolescent 9-12 (Effective July 1, 2004)

	ELECTIVES REQUIRED TO BE OFFERED	OPTIONAL ELECTIVES
	These courses must be offered at least in alternating years (Effective 2004-2005) These courses are in addition to those required for graduation	These courses (or others) may be offered depending on need or student demand
READING AND ENGLISH/LANGUAGE ARTS	Journalism/Newspaper/ Yearbook Speech	Desk Top Publishing English college courses AP English Creative Writing Library/Media Technical Writing Broadcast Journalism
MATHEMATICS	Algebra II Algebra/Geometry Preparation Applied Mathematics I and II Geometry/Applied Geometry Pre-Calculus Trigonometry	Calculus Conceptual Mathematics Mathematics college courses AP Mathematics Probability and Statistics
SCIENCE	Advanced Biology (11-12) Advanced Chemistry (11-12) Advanced Environmental/Earth Science (11-12) Advanced Physics (11-12) Human Anatomy and Physiology	Science college courses AP Science Biology -Technical Conceptual (11-12) Chemistry - Technical Conceptual (11-12) Physics - Technical Conceptual (11-12)
SOCIAL STUDIES	Economics Geography	AP Social Studies Social Studies college courses
FOREIGN LANGUAGE	Three levels of one foreign language	Other foreign languages based on student need and interest

126CSR42

HEALTH	Any courses required to satisfy a career major	Other health courses based on student need and interest
PHYSICAL EDUCATION	Any courses required to satisfy a career major	Other physical education courses based on student need and interest
THE ARTS	Four sequential levels of student achievement in music (both choral and instrumental), visual art (general art and/or studio art), dance, theatre	Other courses in the arts based on student need and interest
CAREER MAJORS	Four specified courses within a major/pathway	Other courses based on student need and interest
DRIVER EDUCATION	One course	Other driver education courses based on student need and interest
TECHNICAL EDUCATION Note: Schools must provide students access to skilled and entry-level technical preparation in a minimum of four of the following career clusters: <ul style="list-style-type: none"> • Health • Business/Marketing • Science/Natural Resources • Engineering/Technical • Human Services 	80% of students in grades 9-10 must have access to at least one vocational-technical foundation course. One foundation course must be offered that teaches parenting skills	Other courses in technical education based on student need and interest
	30% of students in grades 11-12 must have access to four units in a technical concentration and two technical electives	Other courses based on student need and interest
	An additional 30% of students in grades 11-12 must have access to two units in a technical concentration	Other courses based on student need and interest

126CSR42

CAREER DEVELOPMENT	Students must be provided opportunities for in-depth exploration of their chosen career cluster in grades 9-10 through formal coursework, web-based or independent studies, or other alternative means
---------------------------	--

**CHART VI
Adult Education Programs***

Adult Basic Education (ABE)	Vocational and Technical Education Full- and Part-Time Classes	Job Specific Services to Business and Industry
<ul style="list-style-type: none"> ● Basic Literacy ● Basic Skills Assessment ● General Educational Development (GED) Preparation ● Distance Learning ● External Diploma Program (EDP) ● English as a Second Language (ESL) ● Correctional Literacy Programs ● Family Literacy Programs ● Test Preparation for employment, college, military-entrance exams ● Career Exploration 	<p>Technical training is provided to assist adults seeking employment or enhancing their current employment.</p> <ul style="list-style-type: none"> ● Industrial and Technical ● Computer Science ● Business Education ● Wood Products Technology ● Aqua Culture ● Hospitality ● Health Care 	<ul style="list-style-type: none"> ● Workplace Education Programs ● Job/Task Analysis ● Training Material Development ● Training Video Production ● Technical Skill Training ● Supervisory Training ● Train-the-Trainer Program ● Customized Skills Development Classes ● Employee Assessment/ Selection Service ● Use of Vocational Facilities/Equipment ● Referral to Other Agencies
Workforce Development Training for Special Populations	Public Service Training	
<p>Academic skills and technical training are provided for economically and community development.</p> <ul style="list-style-type: none"> ● Referral to Other Agencies ● Hit the Ground Running ● Trade Readjustment Act ● Clean Air Act ● North American Free Trade Agreement 	<ul style="list-style-type: none"> ● Emergency Medical Training ● Wastewater and Water Training ● Firefighting Training ● Hazardous Material Training 	

*To be delivered consistent with Policy 2420.

126CSR42

6.5. Content standards and objectives - The education program must identify and sequence, within each program of study, the specific content standards and objectives that are to be taught in the schools of the county in order to assist teachers in organizing and delivering instruction.

6.5.1. The curricula at the county and school levels must be based upon approved content standards and objectives.

6.5.2. Curriculum Alignment - Each school must, with the feeder school(s) from which it receives students, and/or with the school(s) to which it sends students, develop a system for making certain that the curriculum provided in all of the schools is aligned and that, together, the schools provide students the opportunity to master the content standards and objectives.

6.5.3. Instruction at the county and school levels is modified when necessary to accommodate the educational needs of eligible exceptional students and other students with special needs.

6.5.4. Functional skills necessary to make a successful transition to adult life are based upon approved content standards and objectives and are provided to individual students with severe disabilities in accordance with their Individualized Education Programs (IEPs).

6.6. Student Support Services - County boards of education must provide student support services to ensure that students are able to participate in and benefit from a high quality education program. These services include, but are not limited to: guidance and counseling, health services, library/media services, school psychological services, special education and related services, social services and attendance, transportation services, and nutrition services.

6.6.1. Guidance and Counseling - School counselors work with individual students and groups of students through developmental, preventive and remedial approaches at least 75 percent of their time to meet academic, social, emotional, and career development needs as required in W. Va. Code §18-5-18b. This includes identifying and addressing the problems of potential school dropouts. Developmental guidance programs focus on career development and preparing students to function more effectively in school, at work, at home, and in the community.

6.6.2. School Health Services - School health services provide early identification of health problems and follow-up activities to facilitate and assure appropriate health/medical care as required in W. Va. Code §18-5-22. Emphasis is placed on preventive services and health education to reduce absenteeism and academic failure and promote lifelong health-enhancing behaviors.

126CSR42

6.6.3. Library/Media Services - Today's technological society requires access to media and use of such skills as retrieving, receiving, and using information. Each county board of education will determine the library media services to be made available within its budget.

6.6.4. School Psychological Services - School psychological services facilitate the interpersonal and academic development of all students and foster the social and emotional health of students. School psychologists assist teachers and other school personnel with assessment information, behavior intervention plans, safe schools information, test taking skills, and reduction of test anxiety.

6.6.5. Special Education and Related Services - Specially designed instruction, at no cost to parents, to meet the unique educational needs of an eligible exceptional student, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings, and instruction in physical education. The term includes speech-language pathology services, vocational education, and any other related service, if the service consists of specially designed instruction to meet the unique needs of a student with an exceptionality. Related services include, but are not limited to: transportation and such developmental, corrective and other supportive services as are required to assist an eligible exceptional student to benefit from special education; assistive technology; audiology; speech and language pathology; psychological services; physical and occupational therapy; clean intermittent catheterization and other procedures as defined in Policy 2422.7 and the Basic and Specialized Health Care Procedure Manual for WV Public Schools; recreation; orientation and mobility services; social work services in schools; school health services; early identification and evaluation of disabling conditions in students; medical services for diagnostic or evaluative purposes only; and parent counseling and training.

6.6.6. Social Services and Attendance - W. Va. Code §18-8-3 requires compulsory school attendance to begin with the school year in which the sixth birthday is reached prior to September one of such year or upon enrolling in a publicly supported kindergarten program and to continue to the sixteenth birthday or for as long as the student continues to be enrolled in a school system after the sixteenth birthday. County boards of education must employ a full-time attendance director if the county has a net enrollment of more than four thousand pupils and at least a half-time director if net enrollment is less than four thousand. (W. Va. Code §18-8-3)

6.6.7. Transportation Services - Each student who requires county board provided transportation shall have safe, efficient transportation to the extent necessary to assure the opportunity to participate in the county education program. (W. Va. Code §18-5-13)

6.6.8. Nutrition Services - W. Va. Code §18-5-37 requires county boards of education to provide a breakfast program. In addition to the breakfast program, school nutrition services provide balanced meals for all students who choose to participate in the

126CSR42

program and help students develop sound nutritional habits. All schools must serve meals that are nutritionally adequate.

6.7. Co-curricular and Extracurricular Activities.

6.7.1. Schools must implement, in an equitable manner, co-curricular and extracurricular programs, at the appropriate instructional levels, that contribute to the success of students.

6.7.2. Co-curricular activities may take place during the instructional day.

6.7.3. Extracurricular activities shall occur outside of the instructional day. See, however, Sec. 7.2.14.c.

6.8. Student Assistance Teams - Each public school shall establish a student assistance team that:

6.8.1. Consists of at least three (3) persons, including a school administrator or designee, who shall serve as the chairperson, a current teacher(s), and other appropriate professional staff.

6.8.2. Reviews individual student needs when a student demonstrates poor academic performance and/or engages in disruptive behavior, and either recommends appropriate instructional and/or behavioral intervention strategies within the regular education program or refers immediately for multi-disciplinary evaluation.

6.8.3. Invites parents to review recommendations made by the team in regard to the child's program and to provide feedback to the team about those recommendations.

6.8.4. Reviews, no later than one grading period after implementation (or as otherwise specified), the effectiveness of the instructional and/or behavioral intervention strategies to determine the need for continuation, modification, and/or termination of educational interventions or the need to refer for multi-disciplinary evaluation.

6.8.5. Is trained in appropriate instructional and behavioral intervention strategies, and referral procedures.

6.8.6. Collects and maintains data on the activities of the team, including the dates of meetings, the members in attendance, the recommendations of the team, the dates of review meetings, and the results of the interventions.

§126-42-7. Program Delivery.

126CSR42

7.1. The county board of education shall establish policies and implement written procedures to provide high quality delivery of its education program. In meeting this responsibility the county board shall address the components of a high quality program listed below.

7.2. Administrative Practices.

7.2.1. Ensure that all students ages 6-16 are attending public schools or are exempted from compulsory school attendance under provisions of W. Va. Code §18-8-1a.

7.2.2. Provide a rigorous and relevant curriculum based on the West Virginia Board of Education approved content standards and objectives in the required basics to ensure that each student has the opportunity to:

a. Perform at the mastery level in reading and mathematics by the end of third grade;

b. Attain mastery of the basic skills in reading, writing, mathematics and technology;

c. Attain the basic skills necessary for success in post-secondary education and the workplace.

7.2.3. Ensure that all schools are safe and that the environment is conducive to learning.

7.2.4. Organize school calendars and schedules to maximize academic learning time and provide reteaching through a variety of strategies which may include, but are not limited to, restructuring the school day, providing extra tutorial sessions, utilizing appropriate technology, extending the school day, and/or extending the school year.

a. The school calendar shall meet the requirement of W. Va. Code §18-5-45.

7.2.5. Put procedures in place at the county and school level to ensure that test data are used to identify student learning needs and that those learning needs are appropriately addressed through reteaching and improving instruction.

7.2.6. Develop a Unified County Improvement Plan or an equivalent strategic plan based on information from the Unified School Improvement Plans. (See Sec. 8.3.1.)

7.2.7. Appoint and maintain a county school system or multi-county technical center advisory council that meets on a regular basis to provide advice on current and future employment needs and on the relevancy of courses being offered. Each technical concentration must have a program area advisory council that meets on a regular basis to

126CSR42

advise on course content, including which skills should be taught, instructional materials and equipment needed, and standards which should be met to assure student employability or preparedness for further education.

7.2.8. Appoint and maintain a county steering committee that includes parents and representatives from business, labor, higher education, economic development, local school improvement councils (one member from each programmatic level, K-4, 5-8, 9-12), faculty senates (one teacher from each programmatic level, K-4, 5-8, 9-12), students (one from each programmatic level 5-8 and 9-12) and other organizational entities in the community.

a. The county steering committee will act as a partner with the county board in developing and implementing high quality preparation of youth for college, other post-secondary education and gainful employment;

b. The membership or designated representatives may serve, to the extent appropriate, on the community technical college district consortia committee as established in W. Va. Code §18B-3-3a;

c. The committee may also advise the county board of education in developing the Unified County Improvement Plan; and

d. The committee may also act as the Council on Productive and Safe Schools if it meets the stipulations for membership outlined in W. Va. Code §18-5-42.

7.2.9. Provide work-based learning experiences for each student at some time in grade 9, 10, 11 or 12. In order to qualify as a work-based learning experience within the meaning of this section, the experience must have the demonstrated ability to help students attain process/workplace skills (See Sec. 5.54). Counties with few employers must identify and utilize alternative strategies, such as simulated workplace situations, community service, and school-based enterprises to provide such opportunities. Each county board of education shall:

a. establish a procedure for coordinating work-based learning experiences;

b. establish criteria for selecting quality work-based learning experience and sites;

c. establish criteria and standards that students must meet to be eligible for work-based learning experience;

d. establish goals and objectives for the different types of work-based learning experiences;

e. establish process and criteria for work-based experiences that merit the

126CSR42

awarding of credit; and

f. provide staff development for coordinators, mentors, and supervisors of work-based learning experiences.

7.2.10. Ensure that each school has established and is implementing:

a. a process to maintain a safe climate conducive to learning that enhances the physical, social, and emotional well being of students;

b. a process to ensure that parents are involved in the school and their child's education;

c. a process for flexible staff scheduling to ensure that maximum opportunity for re-teaching and remediation is available for students.

d. a process and procedures for providing professional development to ensure implementation of methodologies and best practices for strengthening the rigor, content, and relevance of the learning process;

e. instructional practices that are based on the best information from research and successful practices;

f. a "Code of Conduct" policy that addresses absences, tardiness, and misbehavior at the school and classroom levels and enhances student learning of responsible behavior;

g. a rigorous curriculum that is coordinated and sequenced so all teachers are aware of the instruction students receive prior to entering the grade level they teach and what the expectations are for students to be able to succeed at the next grade level;

h. a policy for student homework;

i. a policy for grading;

j. a system for monitoring and assessing pupil performance related to the content standards and objectives of the school education program;

k. an adequate continuing record of student progress for student, parent, and teacher information;

l. a system to monitor dropout rates and, when appropriate, plans to reduce the student dropout rate;

126CSR42

m. a process for timely, accurate, and complete entering of data into the West Virginia Education Information System;

n. technology practices that facilitate student development in areas such as, but not limited to, computer skills, critical thinking and decision-making, application of academic knowledge in workplace programs, and making informed career decisions;

o. a school technology team to develop a comprehensive technology plan that includes instructional and academic content standards and objectives as a component of the Unified School Improvement Plan. (See Policy 2470);

p. a technology infrastructure that has multiple applications in enabling students to achieve at higher academic levels;

q. a local school improvement council as outlined in W. Va. Code §18-5A-2 that facilitates improvement of educational quality by encouraging the involvement of the school community in the operation of the school and by utilizing the waiver process when appropriate;

r. a faculty senate that facilitates school improvement through practices outlined in W. Va. Code §18-5A-5;

A. Each county board of education shall, as provided in W. Va. Code §18-5A-(b)(12), provide to each faculty senate either a two-hour per month block of instructional time within the instructional day or an unlimited block of time per month during non-instructional days.

B. A faculty senate scheduled on a non-instructional day shall be considered as part of the purpose for which the non-instructional day is scheduled.

s. a school curriculum team that establishes the programs and methods for implementing a curriculum based on state approved content standards and objectives and based on the needs of the individual school with a focus on reading, writing, mathematics, and technology;

t. a continuous system of program assessment, accreditation, and program improvement; and

u. a Unified School Improvement Plan (or equivalent strategic plan) that is based on the identified needs of the students and is developed collaboratively by the local school improvement council, the principal, faculty senate, school technology team, and school curriculum team. (See Sec. 8.4.1.);

7.2.11. Require, prior to the beginning of each school year, that the principal and

126CSR42

teachers at every school determine time allocations within the regular and alternative school calendars for specific instructional programs based on the needs of students.

7.2.12. Provide, at a minimum, an instructional day of: 315 minutes for kindergarten and grades 1 through 4, 330 minutes for grades 5 through 8, and 345 minutes for grades 9 through 12. A minimum of 75% of the students in a county must be in attendance, as defined by Policy 4110, in order for the day to be counted as an instructional day.

a. Absences that result from school-approved curricular, co-curricular or extra-curricular activities or failure of the bus to run/hazardous conditions shall not be counted in the calculation of attendance.

7.2.13. A county board of education that proposes to schedule class periods in a manner that results in fewer than 8100 minutes of instructional time allotted for a high school course credit must obtain a waiver from the State Board prior to implementing such a schedule. Courses approved through the WV Virtual School approval process may be exempt from this requirement. County and multi-county vocational centers may, in order to accommodate transportation times for students, schedule courses for credit with fewer than 8100 minutes of instructional time provided the center documents student mastery of the content standards for those courses.

7.2.14. Use bank time in a responsible fashion.

a. Bank time is time added beyond the instructional day required in Sec. 7.2.12 which may be accumulated and used in larger blocks of time during the school year for instructional or non-instructional activities.

b. Bank time may not be used to avoid 180 separate days of instruction. For example, bank time may not be used to convert a complete day of instruction into a day to be used for some other purpose. Bank time may not be used to lengthen the time provided in law for faculty senates.

c. Bank time may be used for extra-curricular activities provided that the extra-curricular activities, taken all together during the course of a school year, account for no more than one percent of the total instructional time available. Extra-curricular events sponsored or sanctioned by the West Virginia Secondary School Activities Commission (WVSSAC) and regular season athletic events are not to be considered in computing the one percent figure. Travel time for students participating in extra-curricular events sanctioned or sponsored by the WVSSAC and in regular season athletic events is not to be considered in computing the one percent figure.

d. Co-curricular activities may, by their nature, be scheduled without regard to the use of bank time.

126CSR42

7.3. Instructional Practices.

7.3.1. Each teacher and each school must implement a system for delivering classroom instruction and designed to increase student achievement and that prepares each student for success in post-secondary education and the workplace. The system must align instructional practices, instructional materials, assessment and staff development. In implementing an aligned system of instruction, the teachers:

- a. set, maintain and communicate high expectations for all students;
- b. base the instructional program on county or state approved content standards and objectives;
- c. teach all of the content standards and objectives in each grade level and in each subject;
- d. assess student performance and use that information to plan instruction for students;
- e. provide severely disabled students with functional skills, based upon approved contents standards, that are necessary to make a successful transition to adult life;
- f. develop and utilize written lesson plans;
- g. in grades K-3, use the benchmarks in reading and mathematics and the accompanying informal assessments to guide and measure student progress in mastering these basic skills;
- h. provide reteach and expanded learning opportunities based on student performance data;
- i. use effective instructional materials and technology resources correlated with content standards and objectives;
- j. consider using juried lesson plans/units, when available, based on the content standards and objectives;
- k. consider using the Informal Item Bank (See Sec. 5.38)
- l. enable students to solve problems and think critically;
- m. provide challenging and rigorous instruction in all courses;
- n. continually monitor student progress and adjust instruction accordingly;

126CSR42

o. understand the content standards and objectives of the curriculum that precedes and/or follows the grade(s) they are teaching

p. integrate and reinforce the skills required in a career and the workplace, including the ability to: organize, plan, reason, and use information to solve problems; communicate orally and in writing; work effectively with others; understand and use technology; develop personal skills and attributes; and plan and prepare for a career; and

q. provide co-curricular activities to expand and enrich the programs of study. Co-curricular activities may be provided during the instructional day without regard to the use of bank time. Examples of co-curricular activities include: band and choral presentations; theater productions; science or social studies fairs; mathematics field days; career/technical student organizations' activities; or other activities that provide in-depth exploration or understanding of the content standards and objectives appropriate for the students' grade levels.

7.3.2. Each teacher must use multiple strategies and methods to provide students the opportunity to master the content standards and objectives. Strategies that are effective and have been identified through research and/or practice include:

a. encouraging parents/guardians to stimulate their children's intellectual development and academic achievement;

b. grading, commenting upon and discussing homework assignments in a timely fashion;

c. using direct teaching that includes systematic sequencing of lessons, a presentation of content and skills in small steps, feedback, guided practice with close teacher monitoring, reteaching as necessary, independent practice and homework, weekly and monthly reviews;

d. guiding students to see relationships of past and present learning;

e. tutoring of students by teachers, peers and qualified volunteers;

f. increasing student participation through cooperative learning;

g. employing a variety of instructional techniques and technology utilization to adapt lessons for the needs and interests of individual students and small groups;

h. providing practice in effective work habits as part of instruction to assist students in realizing that it is their job to learn;

126CSR42

i. reviewing and reinforcing previously learned skills and, if necessary, reteaching skills before introducing new ones;

j. providing individual feedback to students on their work and progress;

k. providing reteaching and enrichment opportunities, including honors and advanced placement, for all students;

l. using instructional strategies, methods, and techniques that require the student to be actively engaged in the learning process;

m. linking classroom instruction to the student's future work and academic success;

n. using strategies that require students to apply academic knowledge in practical situations and problem solving;

o. using computers and other technologies, including the West Virginia Virtual School as appropriate, to provide learning opportunities in all subjects for students individually and in groups;

p. providing at some time in grade 9, 10, 11, or 12, structured opportunities for each student to participate in work-based activities, that are integrated with and an extension of the school-based programs of study;

q. integrating and interrelating academic and technical content throughout the curriculum;

r. providing a variety of opportunities for cross-disciplinary learning to emphasize the importance of writing in all programs of study;

s. planning and working together and exercising their professional judgement in the classrooms; and

t. providing enhancements to the traditional senior year by developing capstone projects, meaningful internships, and opportunities to take college-level courses; one-half of the senior year should be spent in higher-level academic courses, including mathematics or science.

7.3.3. Schools must implement a classroom management system that fosters an environment conducive to student success:

a. teachers create an atmosphere that is safe, secure, caring, and orderly;

b. teachers and administrators set high positive expectations for themselves and for all students;

126CSR42

- c. teachers establish and communicate class rules and school rules;
- d. teachers engage students successfully in meaningful instructional activities;
- e. teachers are prepared and initiate instruction as soon as students arrive in the room;
- f. school administrators and teachers protect instructional time by allowing minimal interruptions of instruction and limiting out-of-class activities;
- g. teachers exhibit professional behavior, as defined in the Employee Code of Conduct, show consideration and respect for individual differences, and guard confidentiality of student information; and,
- h. teachers teach, expect, and acknowledge responsible behavior including students being prepared for class and having appropriate materials (books, paper, and pencils) with them.

7.4. Personnel.

7.4.1. County boards shall employ supervisory/administrative staff who are professionally certified administrators who have met the requirements of training through the principals' academy as identified in W. Va. Code §18A-3-2c.

7.4.2. The principal's primary responsibility is instructional management and support within the school, including:

- a. developing flexible staff schedules to maximize opportunities to deliver instruction to groups of students or to individual students who may need additional assistance to master basic skills;
- b. scheduling time to work with staff, faculty senate, curriculum team and local school improvement council to plan, organize, implement, and evaluate the education programs;
- c. observing teacher and student performance in the class-room and providing feedback and recommendations for improvement;
- d. analyzing and using performance data to improve student achievement;
- e. monitoring activities during the instructional day and extracurricular and co-curricular time;

126CSR42

f. assisting teachers in developing individual plans for instructional improvement;

g. reviewing instructional plans on a regular basis with teachers;

h. coordinating professional development activities identified in cooperation with the building staff, faculty senate, curriculum team, technology team, and local school improvement council;

i. involving the community, including local school improvement council, business partner, parents, teachers, and other appropriate entities, in planning and reviewing the education program and providing leadership for the local school improvement council to develop and implement a Unified School Improvement Plan;

j. distributing time and resources on the basis of the Unified School Improvement Plan;

k. engaging educational and community leaders in a dialogue about the hopes, aspirations, vision, and future directions of local education;

l. keeping parents informed about the education program through newsletters, parent-citizen groups, and reports on student achievement;

m. encouraging meaningful parental involvement in student education;

n. establishing a school technology team and developing a technology plan;
and

o. coordinating jobs through education activities and other professional development activities as identified in cooperation with the county board of education, the county steering committee, and the building staff.

7.4.3. Principals shall be provided professional development opportunities through a variety of means such as the principals' academy, institutes, workshops, conferences, teacher and business exchange programs, and school site visitations.

7.4.4. County boards shall:

a. Employ professionally certified teachers to implement each program of study;

b. Ensure that professional staff are working in the areas of endorsement specified on their certificates;

126CSR42

c. Ensure that teachers have a general knowledge of the content standards and objectives for all levels of their program of studies (K-12) to promote program articulation.

d. Ensure that professional staff are provided continuous professional development to increase their ability to deliver a high quality education program; and

e. In Alternative Education Programs, as outlined in Policy 2418, provide for the participation of staff certified in the core subject areas in the development of the academic curriculum and the assessment measures to determine mastery of content standards and objectives.

f. Ensure that teachers understand how to integrate technology into the learning process.

g. Ensure that teachers implement their responsibilities within programs of study.

h. Ensure flexibility in the scheduling of teachers, when appropriate, to maximize learning opportunities.

i. Ensure that professional development opportunities are provided through a variety of means such as institutes, workshops, conferences, teacher and business exchange programs, and school site visitations.

j. Ensure that teachers and library/media professionals are provided a duty free planning period that is the length of the usual class period and is not less than thirty minutes.

7.4.5. Support Staffing. County boards shall:

a. Employ aides to enhance the instructional environment and provide time to ensure educational quality in the classroom;

A. Aides assist teachers with non-instructional duties and in instructional related activities in appropriate programs. Duties may include, but are not limited to: a) clerical and technical assistance; b) in-class assistance; c) tutorial services; d) distribution of instructional materials e) supervision of students in the instructional environment and during specific assigned duties (W. Va. Code §18A-5-8); f) assistance with technology utilization; and, g) in some cases, performance of basic or specialized health care procedures.

B. Kindergarten teachers have one aide if the class enrollment exceeds 10 students.

126CSR42

C. Aides are available for students with disabilities as needed to implement the Individualized Education Program and as set forth in the Regulations for the Education of Exceptional Students (Policy 2419).

D. Aides assigned to a school are scheduled by the principal.

b. Use community resources, when appropriate, in innovative ways on a volunteer, part-time, or contractual basis in order to complement, support, or extend the instructional program including the provision of work-based learning opportunities.

7.4.6. Personnel Development. County boards shall:

a. Implement an evaluation system based on Policies 5300, 5310, and 5314

b. Implement a comprehensive system of staff development that includes the implementation of Policy 5500 and the Jobs Through Education Act (S.B. 300, 1996 RS) as an integral part.

7.5. Facilities.

7.5.1 County boards shall ensure that facilities meet the standards set forth in Policy 6200.

7.6. Instructional Materials, Supplies, and Equipment. County boards shall:

7.6.1. Ensure that the instructional materials used as the primary resource for instruction in required programs of study are on the most recent list of state adopted instructional materials or have been exempted by the West Virginia Board of Education through an approved waiver or through the WV Virtual School course approval process.

7.6.2. Establish procedures to select instructional materials and supplemental resources that correlate with the content standards and objectives for each program of study.

7.6.3. Ensure that appropriate instructional materials and equipment are available for the full instructional term, in good operating condition, and are sufficient for the size of the group to be served.

7.6.4. Ensure that a copy of the appropriate content standards and objectives is provided each teacher and ensure that the public has been provided information about and access to materials for review upon request.

7.6.5. To the extent practicable, and as funds and other resources are available, provide access to instructional technologies outside the normal school day for use by students (including those in adult education), teachers, parents and citizens.

126CSR42

§126-42-8. Program Accountability.

8.1. The county board of education shall establish policies and implement written procedures for assuring the public, the West Virginia Board of Education, and the Legislature that a thorough and efficient system of education is being delivered to all students. Those policies and procedures shall address the assessment of students and the use of data to provide assistance to students and the use of student assessment data to develop Unified County and School Improvement Plans that will improve the education program for individual students, individual schools, and specific programs of study. In meeting the requirements of this regulation, the county board shall address the following components:

8.2. Student Assessment and Assistance.

8.2.1. The county board of education shall ensure that a school assessment program is in place that produces data that are used to improve instruction of students. The assessment program shall consist of both standardized and non-standardized forms of assessment. All students in the school, including those with disabilities, must participate in the state assessment program as defined in Policy 2340. An Individualized Education Program (IEP) or a Section 504 Plan specifies how a student with disabilities will participate in the statewide assessment program. Assessments given in grades K-2 will not be used as a basis for accreditation or other high stakes purposes. Selected schools will participate in the National Assessment of Education Progress (NAEP) testing program. The school assessment program includes non-standard assessment processes and procedures such as portfolios, observation data, performance and achievement checklists, teacher-made tests, and other assessments that are at the direction of and for use by the classroom teacher.

8.2.2. Each county, school, and teacher has a system for analyzing, interpreting, and using student performance data prior to the beginning of the school year. The data are to be used to identify and assist students who are not at mastery level in their achievement of state and county board approved content standards and objectives.

8.2.3. A diploma is provided to every student who has completed the standard graduation requirements. A student with disabilities who has been determined by an Individualized Education Program (IEP) Team to be unable to meet state and county standard graduation requirements may receive a modified diploma. (See Sec. 5.25) and Policy 2419)

8.2.4. A Certificate of Proficiency containing specific information regarding the graduate's skills, competence, and readiness for employment and further education, is provided to every high school graduate. The following information is to be recorded on the certificate of proficiency given to every graduate:

126CSR42

- a. Test results from any part of the statewide assessment program in which the student participated;
- b. High school courses taken (in grades 7-12) with grades and credits received;
- c. Computer instruction received;
- d. GPA (grade point average) for all high school courses completed, regardless of the grade level when completed;
- e. Class rank out of total graduating class;
- f. Attendance per year for grades 9-12;
- g. Co-curricular and extracurricular activities;
- h. Grade scale including letter/numerical equivalent, use of weighted grades;
- i. Special competencies;
- j. Technical training and credentials acquired;
- k. Successful completion of a career major;
- l. Formal work-based learning experiences completed; and,
- m. College credits earned.

8.2.5. Any student performing below the 50th percentile in the areas of reading or mathematics or language at grade eight or above is placed in a skill improvement program. Parents must be advised that their child will be placed in the program and they must be involved in the placement conference. If the program is delivered as a class, the class may not be substituted for a course required for graduation but may be used for elective credit.

8.2.6. An Individualized Student Transition Plan covering grades nine through twelve and the first year beyond graduation from high school is developed for every student in consultation with her/his parents and school counselor or advisor.

- a. Plan Development and Initial Implementation

- A. During the eighth grade year, each student's plan is developed for grades nine and ten. The plan is based upon previous career awareness, exploration activities, and a review of the student's ACT Explore results.

126CSR42

B. Each student, in consultation with his or her parents and school counselor or advisor, selects a broad career cluster for exploration in grades nine and ten and develops the plan based upon the choice of a career cluster. The student may amend his/her plan at the end of any semester.

C. The parent(s) and student each sign and receive a copy of the plan.

D. The plan for an eligible gifted student is developed during the eighth grade year by an IEP Team and includes the honors and advanced placement classes that must be provided for the student in grades nine through twelve.

b. Selection and Implementation of Career Majors.

A. During the tenth grade year, each student shall develop, after review of the student's ACT Plan results, and in consultation with her or his parent(s) and school counselor or advisor, the second phase of the plan and shall select a career major for the final years of high school and the first year after high school that will prepare the student for college, other post-secondary education, and gainful employment. The plan may be amended and/or the career major changed at the end of any semester.

B. The following rules allow students, whether they are preparing for college, other postsecondary education, or work, to take a higher level or more rigorous course, The College Board's Advanced Placement course, or a college course in place of a required career major course or recommended elective course as set forth in the applicable high school programs of study document, as evidenced by parental and school signatures on the student's five-year transition plan. These rules do not apply to the required academic units for English Language Arts, Mathematics, Science, Social Studies, Physical Education, Health and the Arts specified in Charts IVA and IVB of this policy as the minimum state requirements for graduation.

(a) A student, in consultation with his or her parents, may request to take a higher level or more rigorous course, The College Board's Advanced Placement course, or college course in lieu of a required career major or recommended elective course as specified in the high school programs of studies document. Such requests should be approved by the county superintendent (or designee) and principal. The decision as to whether the substitute course will count as credit for the specified major or recommended elective requirement must be based on its applicability to the student's 5-year transition plan and post high school goals.

(b) The student and his or her parents must be advised of the decision of the superintendent (or designee) and the impact of the substitute course on the student's preparation for college, other postsecondary education or employment in the student's major field of study. Furthermore, the student's Certificate of Proficiency must not indicate

126CSR42

that the student completed a career major unless the course is judged to be related and relevant to the career major.

(c) A notation must be made on the student's five-year transition plan indicating that this process was followed and that the parents and student clearly understand the impact of the course substitution.

(d) Definitions of terms used in this section are as follows:

(A) Higher Level Course - A course in the same content area, but at a higher sequential level "(e.g., Trigonometry in lieu of Geometry)."

(B) More Rigorous Course - A course within the same content area in which the rigor and expectations are higher than the course for which the substitution is being made (e.g., Advanced Chemistry in lieu of Chemistry-Technical Conceptual).

(C) Advanced Placement - An academic learning experience characterized by content and performance expectations beyond those normally available for the age/grade level of the student (e.g., The College Board; Advanced Placement course, or advanced satellite or Internet courses).

(D) College Course - Any course for which college credit is awarded (e.g., dual credit, regular college course).

C. The parent(s) and student each sign and receive a copy of the plan.

(a) Other Plan Components May Include

(A) Co-curricular Activities

(B) Extracurricular activities

(b) Assessment of Plan - Each graduate will be provided an assessment form, and will be requested to complete and return the form at the end of the first year following graduation to the high school from which she/he graduated. (Effective July 1, 2003)

D. Students choosing the professional pathway, along with their parent(s), may use the process set forth in this section to substitute other career major courses for the fourth credit in mathematics and/or the fourth credit in science and/or the two credits in a foreign language if the credit(s) to be substituted is/are more likely to prepare the student for success in college and/or are more relevant to the student's post-secondary goals as identified in the five-year transition plan. The student and his/her parents, when choosing to substitute other courses must sign a form stating that they understand that in

126CSR42

so choosing the student will not meet admission requirements for a baccalaureate degree program at any West Virginia public college or university.

E. Students choosing the skilled pathway, along with their parent(s), may use the process set forth in this section to substitute another career major course for the fourth credit in mathematics if the credit to be substituted is more likely to prepare the student for success in post-secondary education and/or is more relevant to the student's post-secondary goals as identified in the five year transition plan.

F. Superintendents or their designees and principals may not use this process to grant blanket approvals for substitution of other career major courses for the required fourth credit in mathematics, and/or the fourth credit in science, and/or the two credits in a foreign language.

8.3. Program Improvement.

8.3.1. Each county shall establish a Unified County Improvement Plan that must contain at least the following:

a. How the county school system intends to strengthen the county education program in order to increase student achievement.

b. 1) Performance assessment and an agreed upon vision/mission/goals statement(s), 2) designated improvement objectives and activities, 3) available funds, 4) resources available to the county board, 5) a system for monitoring the implementation and effectiveness of activities, 6) an evaluation process, and 7) a budget.

c. Procedures for gathering and processing specific performance data regarding student achievement, attendance and dropout.

d. Procedures for reviewing the programs of study on a regular basis to determine the need for program improvement. That review must include information about student achievement within the program(s) of study and information about the performance of students who have graduated.

e. Procedures for evaluating the methods, techniques, technology and materials used to deliver the programs of study.

f. A mechanism to ensure that staff development and informational services are available for teachers and others who are responsible for developing and delivering the programs of study.

8.4. School Improvement.

126CSR42

8.4.1. Every school must have a Unified School Improvement Plan designed to improve the academic achievement of the students in the school that adheres to the following criteria:

a. Prepared by the local school improvement council (LSIC) under the leadership of the school principal and in cooperation with the faculty senate, school technology team and school curriculum team.

b. Based upon: 1) performance assessment and an agreed upon vision/mission/goals statement(s), 2) designated improvement objectives and activities, 3) available funds, 4) all resources available to the school, 5) a system for monitoring the implementation and effectiveness of activities, 6) an evaluation process, and 7) a budget.

c. Predicated on the establishment of high expectations for performance of all students in the school.

d. Presented to the county board of education as part of the annual meeting between the LSIC and the county board of education.

8.4.2. Schools will be selected to receive technical assistance based upon their status with regard to the performance measures and high quality standards set forth in State Board Policy 2320 (126CSR13). The Department of Education will operate a school improvement program the purpose of which is to provide assistance to Seriously Impaired and other low-performing schools. The school improvement process will be designed not only to assist already low-performing schools but to provide a system for building capacity in schools prior to the time they become Seriously Impaired.

8.5. Education Information System.

8.5.1. Every county and school shall participate in the West Virginia Education Information System (WVEIS).

§126-42-9. Alternative Delivery Systems.

9.1. The county board of education shall establish policies and implement written procedures when providing for alternative delivery of education and service programs for students and community members. In addition, these policies and procedures should address community linkages and partnerships to foster student achievement.

9.2. Administrative Practices.

9.2.1. Ensure that a thorough and efficient education is available to all students in either a regular or alternative program.

126CSR42

9.2.2. Provide a rigorous and relevant curriculum based on academic requirements.

9.3. Program Delivery.

9.3.1. Extended Student Learning - Extended student learning may be offered based on student needs and as funds and other resources become available.

a. Extended student learning may include but is not limited to: extended day or year; mini-courses; summer school or an alternative calendar that allows for year-round schooling; and work-based learning that may take place outside of the regular school calendar. (See, e.g., Policy 3234 that provides for year-round schooling).

b. Extended student learning may be provided by the school system, community agencies, institutions of higher education, businesses or other entities under agreements authorized by the county board or West Virginia Board of Education. These agreements may include payment specifications for those parties using the facilities.

c. Students may elect to participate in extended learning opportunities and may receive elective credit when approved by the county board or West Virginia Board of Education.

9.3.2. Summer School - All summer school programs shall be submitted to the West Virginia Board of Education for approval. Schools may award credits earned from approved summer schools provided the instructional program is equivalent to that required in the regular school term.

9.3.3. Community Education.

a. County Boards of Education should maximize opportunities to provide adult basic education or adult enrichment opportunities; and

b. Opportunities to provide continuing education and staff development for local businesses should be maximized. This includes training on appropriate placement and supervision of students receiving work-based learning experiences.

9.3.4. Home/Hospital Instruction.

a. Students who, due to injury or for any other reason as certified by a licensed physician, are homebound for a period of two weeks or more shall receive home/hospital instruction.

A. Eligibility Criteria - Documentation that a student meets one of the following criteria:

126CSR42

(a) Has an injury, communicable illness, or health condition that prevents her or him from attending school for a time that will interfere with the student's ability to master necessary skills and that is diagnosed and confirmed by a licensed physician; or

(b) Has an injury or health problem/condition as diagnosed and confirmed by a licensed physician that requires her or him to be homebound or hospitalized for a period that has lasted or will last more than two weeks.

b. Special Considerations for Eligibility

A. A licensed physician must provide a written statement to the county school district that the student must remain at home or in the hospital for a period of two weeks or more. The written statement must include:

(a) The specific reasons why the student must remain at home or in the hospital; and

(b) The criteria or conditions under which the student can return to school, and the expected date of such return.

B. Students placed on extended home instruction shall submit a physician's statement of need for continued home instruction when the term of home instruction reaches six months in length.

C. The county board may require that the parents obtain a second physician's opinion at the expense of the county board.

c. Instruction

A. Home/hospital instruction, provided for those regular education students who are unable to attend school for a period of time, is an extension of the regular school programs of study.

B. Home/hospital instruction, provided for an exceptional student who is unable to attend school temporarily because of an injury, illness, or health condition, is an extension of the Individualized Education Program (IEP) and the regular school programs of study in which that student participated.

C. Home/hospital teachers are responsible for providing instruction on content standards and objectives determined by the student's classroom teacher(s) and therefore, must be in regular contact with the classroom teacher(s).

d. Schedule

126CSR42

A. Home/hospital instruction may be provided at any time. Instruction is to start as soon as possible following determination of the students eligibility for instruction.

B. The instructional schedule per week must be based upon the student's physical ability to attend/participate as specified by the physician who confirmed/diagnosed the injury or health problem/condition.

C. The time that instruction will be provided in the home is established by the teacher, the parent(s), and when appropriate, county school district administrator.

D. Home instruction is provided at a time when a responsible adult is in the home.

E. The student's school shall provide the home instruction teacher the opportunity to meet with the student's teacher(s) and shall provide the county adopted instructional materials, teacher's editions, materials, equipment and supplies the student requires to complete the student's programs of study.

F. The student's teacher(s) shall provide the home instruction teacher with copies of daily lesson plans, including homework assignments, when requested.

9.3.5. Alternative Settings for Disruptive Students.

a. Students whose disruptive behavior places them at risk of not succeeding in the traditional school structure may be eligible for placement in an alternative education program as authorized by Policy 2418.

9.3.6. Schools as Service Centers.

a. School facilities should be made available for service delivery to community members. These services may include, but are not limited to, school-based health centers, and day care centers.

b. Service centers may be operated by the school system or the services may be provided by external agencies such as a primary care center or the Department of Health and Human Resources.

9.3.7. Teacher Assignments.

a. In order to effectively provide for optional delivery systems, consideration should be given to flexible scheduling of educational personnel within the daily and/or yearly schedule.

126CSR42

9.4. Accountability.

9.4.1. All programs for elementary and secondary schools must meet the standards and safeguards set forth in West Virginia Board of Education policies related to curriculum, instruction, and student support services.

9.4.2. Letters of agreement and/or contracts shall be used with external agencies, businesses, and individuals to clarify responsibilities in areas such as: student supervision, public access to school facilities, finance, and program accountability.

FISCAL NOTE WORKSHEET
(Submit 4 Copies)

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

SUBJECT Policy 2510: Assuring the Quality of Education: Regulations for Education Programs FUND General

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

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

DATE
January 7, 2003

AGENCY
West Virginia Department of Education

AUTHORIZED REPRESENTATIVE
Walter Stewart