

WEST VIRGINIA  
SECRETARY OF STATE  
KEN HECHLER  
ADMINISTRATIVE LAW DIVISION

Form #5

FILED

1991 JUN 26 PM 3:45

OFFICE OF 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 Department of Education TITLE NUMBER: 126

CITE AUTHORITY: 18-5-15, 18-2-5, 18A-3-8

RULE TYPE: PROCEDURAL \_\_\_\_\_ INTERPRETIVE \_\_\_\_\_

EXEMPT LEGISLATIVE RULE Y

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES xx, NO \_\_\_\_\_

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 149 Policy 5500

TITLE OF RULE BEING AMENDED: County Professional Staff Development  
Councils

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: \_\_\_\_\_

TITLE OF RULE BEING ADOPTED: \_\_\_\_\_

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS August 6, 1991

Barbara L. Catip  
June 24, 1991

2.50.

HD NO \_\_\_\_\_ DRAFT NO \_\_\_\_\_ BILL NO \_\_\_\_\_ RESOLUTION NO \_\_\_\_\_  
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

Policy 5500: Staff

SUBJECT Development for Public School Personnel in WV FUND NO FISCAL IMPACT

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

COST 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 AND ITEM 3 GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

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

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

IMPACTS  
FISCAL:

STATE STAFF:

DATE

AGENCY

AUTHORIZED REPRESENTATIVE

WV Department of Education

Executive Summary

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Proposed Revisions to Policy 5500:  
Staff Development for Public School Personnel in West Virginia

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Purpose

The purpose is to amend Policy 5500 which describes the purpose, responsibilities, principles of operation, and composition of the county staff development councils.

Background

In the fall of 1975, a state-wide task force was appointed. Members were representative of all major educational agencies as well as the public at large. Their role was to assess current staff development efforts and to recommend a program which would be job related and individualized.

The task force organized its operating procedures into phases in which they learned about staff development programs throughout the state and nation, assessed the status of staff development in the state, used assessment data to design their recommendations, and prepared a series of objectives for implementing those recommendations. That task force's recommendations and data base continue to provide the support for the proposed modifications to Policy 5500.

As a result of being disseminated for comment at the April state board, Policy 5500 received seven comments. Generally, the comments included a) council membership, b) filling vacancies, and c) funding. Redundant language was deleted and Section 3.3 was modified as follows: line 1; "at least" added after the word "amount."

Recommended Revisions

The proposed revisions were based on Senate Bill 1 mandates and the recommendations of a panel of West Virginia educators. The following revisions are proposed:

1. The purpose is updated and refined (section 2, page 1).
2. Paraprofessionals are added to the client group (section 3, page 1).
3. A funding source is identified (section 3, page 2).
4. Specific program guidelines are stated (section 4, page 3).
5. The composition of each county council is precisely described (section 5, page 4).
6. The role of faculty senates is outlined (section 5, page 4).

Impact

Instruction

None

Leadership

County councils will have more latitude and autonomy. In addition, faculty senates will have program input.

Financial Impact

County councils will have a specific, identified funding source.

Staff Development Impact

Program content will reflect local needs and desires.

Administrative Impact

None

JRL/se:3224q 0074q

Title 126  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF EDUCATION  
CHAPTER 18-2-8  
SERIES 149  
POLICY 5500

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SECRETARY OF STATE

Title: County Professional Staff Development Councils

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Section 1. General

1.1 Scope - This legislative rule established the General Implementation Process for staff development activities in the 55 county school systems. This staff development program provides for job related training for school personnel on three noninstructional days in the school calendar.

- 1.2 Authority - 18-5-15, 18-2-5, §18A-3-8
- 1.3 Filing Date - June 24, 1991
- 1.4 Effective Date - August 6, 1991
- 1.5 Repeal of Former Rule - This is an amendment to existing policy.

Section 2. Purpose

Schools exist to facilitate student learning, and an ongoing staff development program for all personnel is essential to enhancing student learning. Staff development should be a continuous, developmental process ultimately based on staff needs to meet this goal.

Section 3. County Responsibility

3.1 Each county board of education shall schedule annually at least three noninstructional days of staff development for professional staff, instructional aides, and paraprofessionals. At least two of the three days or their equivalent must be scheduled prior to January 1. Exceptions to the schedule may be granted for innovative programs and/or delivery upon the written request of the county superintendent to the state superintendent.

3.2 County boards of education shall establish a staff development council and shall implement a comprehensive system of staff development.

3.3 The county board of education shall make available an amount at least equal to one tenth of one percent of the amount provided in accordance with section four, article nine - Chapter eighteen of this code and credit such funds to an account to be used by the council to fulfill its objectives. The county board of education will have final approval for all disbursements. This does not preclude the use of other funding sources.

Section 4. Principles of Operation

County boards of education shall incorporate the following components and governing principles of operation in their county staff development policy.

4.1 All staff designated in 3.1 shall participate in at least twelve hours of job related staff development each year. Job related means that programs available to all teachers are directly relevant to: (1) the areas of study which they are currently teaching; (2) the teaching strategies appropriate to those areas of study; (3) classroom management skills; (4) techniques appropriate for learners with various exceptionalities and learning styles; and (5) alignment of learning outcomes with instructional strategies, materials and resources, and student and program evaluation methods and instruments. (2510)

4.2 With the approval of the immediate supervisor, a teacher may use one noninstructional day during an employment term for home visitation with the parent or guardian of his/her students. Home visitations used to satisfy staff development activities may not exceed one day of staff development. The number of visitations deemed to be equivalent of one day shall be determined by the county staff development council. (S.B. 14)

4.3 Staff development shall be offered in the following areas:

- a. multicultural education (source: §18-5-15a );
- b. AIDS (source: Policy 2422.2);
- c. new textbook orientation (source: Policy 2510);
- d. new professionals (source: Policy 2510: S.B. 1)
- e. job related training for instructional aides (source: Policy 5140);
- f. staff evaluation (source: Policy 5310); and
- g. other areas as deemed required.

4.4 The Staff Development Program

To promote teaching and learning, the staff development activities should:

- a. Include individual and site-based, as well as county level training.
- b. Use multiple sources such as state board goals and objectives, student test scores, faculty senate recommendations, and county board policies to identify program needs.
- c. Focus on needs based objectives.
- d. Include activities which provide for individual needs as well as groups such as local school improvement councils, faculty senates and school curriculum teams.
- e. Include a systematic evaluation process.
- f. Include follow-up training when the objective(s) are beyond awareness level.

## Section 5. General Implementation Process

5.1 The county superintendent or his/her designee shall hold an advisory, nonvoting role on the staff development council.

5.2 The Staff Development Council shall have final authority to propose staff development programs for their peers based upon rules established by statute and the council on professional education.

5.3 The professional staff development council shall be comprised of proportional representation from the major school levels and from vocational education, special education, and other specialities in proportion to their employment numbers in said county. Each county staff development council shall consist of between nine and fifteen members at the discretion of the county superintendent based on the size of the county.

5.4 Teacher nominations to serve on the county staff development council may be submitted by the faculty senates of the district to the superintendent who shall prepare and distribute ballots and tabulate the votes of the county's instructional personnel voting on the persons nominated.

5.5 Election to the Staff Development Council shall be made on a staggered three-year sequence.

5.6 Two or more counties may elect to cooperate in the staff development program.

5.7 Any regional education service agency or professional development center, at the direction of its Board of Directors, shall cooperate with the Staff Development Council of each local education agency within its service region in providing staff development.

### 5.8 Individual Staff Development Plan

Each staff development participant, in concert with his/her immediate supervisor, may develop an individual staff development plan to be used in satisfying his/her professional staff development. An employee's performance evaluation must be used in this process. However; the employee's evaluation remains confidential.

### 5.9 Responsibilities of the Superintendent or his Designee

- a. The county superintendent or his/her designee shall 1) supervise the development of staff development program objectives by the Staff Development Council, and 2) coordinate the implementation of the staff development plan.
- b. The superintendent or his/her designee shall disseminate information concerning program objectives, location and time, prerequisites, and other pertinent information about staff development offerings to all personnel within the county.
- c. The county superintendent or his/her designee shall maintain records of enrollment, scheduling, and evaluation of each staff development activity.

- d. The proposed program for staff development shall be approved by the county board of education prior to implementation.

Section 6. Monitoring

6.1 Monitoring of the policy shall be conducted via the accreditation system described in §18-2E-5.

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

S/B17  
(1438A/0362A) - 7/19/89  
2955q/se:6/14/91

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S U M M A R Y O F C O M M E N T L O G

Policy 5500: County Professional Staff Development Councils

A total of seven comments were received. Two changes were made to a) delete a nonsense phrase and b) encourage additional funding. The comments focused on a) council membership and role, b) filling vacancies, and c) funding.

JRL/se:3336q POL\_5500

COMMENTS AND SUGGESTIONS LOG  
 REVISIONS FOR POLICY 5500  
 COUNTY PROFESSIONAL STAFF DEVELOPMENT COUNCILS  
 June 3, 1991

Action  
 N: No Response  
 NA: Not Accepted  
 A: Accepted

Type  
 - Negative  
 + Positive  
 • Neutral

Date Received	Individual/Organization	Comments/Suggestions	Action/Type	Rationale
5/08/91	Paul E. Barcus, Jr. Metzel County Schools	<u>Section 5.</u> <u>5.2</u> I believe that the Council should remain as advisory to the Superintendent.	NA	Legislative intent is to place control with teachers.
		<u>5.3</u> Are administrators and representatives of higher education not on Councils now?	N	Decided locally.
		<u>5.4</u> How will vacancies which occur (after annual elections have been held) be filled now?	N	Local (county) council decision.
5/08/91	Mike Burke Mineral County Schools	<u>Section 3.</u> 3.3-The Co. Bd...shall make available...One time Should change wording to: ... "Shall make available an amount <u>At least</u> equal to one tenth of one percent..."	NA	Last sentence in section allows for additional funding sources.

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Date Received	Individual/Organization	Comments/Suggestions	Action/Type	Rationale
		<p>Many counties, including, Mineral Fund in excess of one tenth. Without this change it could be construed that funding is limited to "one tenth".</p>	NA	(See preceding.)
Section 5.		<p>5.9 Remove words "as determined" unnecessary or implications are not clear.</p>	A	
5/28/91	<p>Arthetta Taylor Wayne County Board of Education</p>	<p>Section 4. 4.4.e Evaluation of what?</p>	N	
5/30/91	<p>Keith Smith</p>	<p>Section 3.3 Add "at least" after word amount in line 1.</p>	A	<p>Additional wording clarifies that county may allocate more than specified requirement.</p>
06/03/91	<p>Grant County Staff Development Council</p>	<p>Section 5. "We like the original committee composition which provided a nice cross-section of individual." "Staff Development Council should have representation from each school."</p>	N	

Date Received	Individual/Organization	Comments/Suggestions	Action/Type	Rationale
6/03/91	Robert P. Mason Mineral County Schools	<p><u>Section 3.</u></p> <p>3.3 Add "at least" to "an amount equal to..."</p> <p>4.4.e. Include</p> <p><u>Section 5.</u></p> <p>5.2 With the approval of the superintendent and board of education.</p> <p>5.8 <u>must</u> be used? can may be substituted?</p>	A	This has been done.
6/03/91	Kayetta Meadows West Virginia Education Association (Jackline Romeo, WVEA)	<p><u>Section 3.</u></p> <p>3.3 County administrators need to be informed that funds not used by end of year shall carry over for council use the following year.</p>	N	<p>The intent is clear; teachers (the Council) are to have final authority.</p> <p>Acceptance would muddy the intent, which is to use effectively evaluation data.</p>
		<p>County administrations need to be informed that time needs to be provided for councils to meet. Substitutes should be paid from substitute funds -- not staff development money.</p>	NA	This is a local decision.

Date Received Individual/Organization Comments/Suggestions Action/Type Rationale

Section 5.

5.2 How will State help implement this policy? What will be done when county administrations do not allow the councils to make final decisions - that is when Superintendent or Boards change what councils do?

NA

This is a defined grievance procedure.

Section 6.

6.1 Where are staff development councils to go for answers to questions?

N

What will be done when county administrations do not follow state policy?

N

Section 7.

Not included with Policy!



KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

A. RENEE COE  
Deputy Secretary of State

CATHERINE FREROTTE  
Executive Assistant

Telephone: (304) 558-6000  
Corporations: (304) 558-8000

WILLIAM H. HARRINGTON  
Chief of Staff

JUDY COOPER  
Director, Administrative Law

DONALD R. WILKES  
Director, Corporations

(Plus all the volunteer  
help we can get)

**STATE OF WEST VIRGINIA**  
**SECRETARY OF STATE**  
Building 1, Suite 157-K  
1900 Kanawha Blvd., East  
Charleston, WV 25305-0770

TO: Barbara Estep

AGENCY: Board of Education

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: August 27, 1992

THE ATTACHED RULE RECENTLY FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 149 TITLE: 126 Board of Education

\* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: \_\_\_\_\_

TITLE OF PERSON SIGNING: \_\_\_\_\_

DATE: \_\_\_\_\_

\*\*\*\*\*

\* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: Barbara L Estep

TITLE OF PERSON SIGNING: Exec Sec. of Board of Ed.

DATE: Sept. 17, 1992

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.