

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
KEN HECHLER  
**ADMINISTRATIVE LAW DIVISION**

Form #5

Do Not Mark In this Box

1988 JAN 23

**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: West Virginia Code 18-2-5

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

EXEMPT LEGISLATIVE RULE X  
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

Chapter 29A-1-3

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

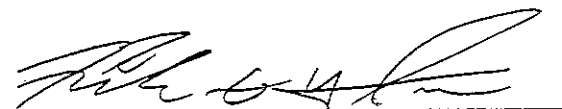
IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: 154

TITLE OF RULE BEING ADOPTED: The West Virginia Council on Professional  
Education (5105)

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS April 15, 1988



TITLE 126  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF EDUCATION  
Chapter 18-2  
Series 154  
(Policy 5105)

TITLE: The West Virginia Council on Professional Education

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Section 1. General

1.1 Purpose - The purpose of this policy is to establish the West Virginia Council on Professional Education as the official body for providing guidance and recommendations on matters of professional preparation and development of educational personnel.

1.2 Authority - West Virginia Code 18-2-5

1.3 Filing Date - January 19, 1988

1.4 Effective Date - April 15, 1988

Section 2. Responsibilities

2.1 The West Virginia Board of Education - Article XII, Section 2 of the Constitution of West Virginia states "The general supervision of the free schools of the state shall be vested in the West Virginia Board of Education which shall perform such duties as prescribed by law." To exercise this supervisory authority, Article 18-2-5 of the School Laws of West Virginia specifies that "...the state board of education shall determine the educational policies of the state...relating to education..."

2.2 The West Virginia Board of Regents - The Board of Regents develops policies and procedures pertinent to professional preparation through its establishment of admissions standards and curricular and degree programs; its establishments of qualitative program standards, and periodic review of existing degree programs; and its establishment of standards and procedures governing faculty appointment, and management and support of professional education programs.

2.3 The West Virginia Board of Education hereby creates the Council as the official body for providing guidance and recommendations on matters of professional preparation and development of educational personnel.

The Council - The primary role of the Council is to represent the profession on matters of professional preparation and development to the West Virginia Board of Education, Board of Regents, and the West Virginia Legislature. The Council also serves as the forum through which the concerns of individuals and/or organizations regarding professional preparation and development are addressed.

2.3.1 Function - The major functions of the Council are to:

- a. provide opportunities to receive concerns from the profession and the public at large regarding professional

preparation and certification and the continuing professional development of educators, as well as the policies and regulations concerning these issues.

- b. present, at least annually, recommendations to improve professional preparation, certification, and staff development to the Board of Education, the Board of Regents, and the West Virginia Legislature. The West Virginia Board of Education shall respond in writing through official action and shall remand to the Council any recommendations with which the Board does not concur.
- c. receive official responses to the Council's recommendations from the Boards of Education and Regents as appropriate to their areas of responsibility.

Section 3. Membership

3.1 Council Composition - The Council shall be composed of twenty-seven (27) representatives from the ranks of public schools, higher education, and the community at large. The composition of the Council shall be:

- a. Fourteen (14) public school teachers as follows:

Three classroom teachers currently assigned to teach early childhood education.

Three classroom teachers currently assigned to teach middle childhood education.

Three classroom teachers currently assigned to teach adolescent education.

Two classroom teachers currently assigned to teach vocational education.

Two classroom teachers currently assigned to teach special education.

One student support services personnel representative.

- b. Six (6) school administrators as follows:

One principal who is currently assigned as principal in a school which is predominantly early childhood education.

One principal who is currently assigned as principal in a school which is predominantly middle childhood education.

One principal who is currently assigned as principal in a school which is predominantly adolescent education.

One central office administrator who serves as the chief personnel officer for a county school system.

One county staff development coordinator.

One county superintendent.

c. Five (5) higher education representatives as follows:

Three teaching faculty members from institutions of higher education with representation from both private and public institutions.

Two administrators from institutions of higher education (may be from either public or private institutions).

d. Two (2) lay citizen representatives who may not be members of a county board of education or the state board of education, nor shall they be trained as educators.

3.2 Election/Appointment - Members of the Council shall be elected or appointed as follows:

a. Thirteen teachers, three principals, and one staff development coordinator shall be elected by their peers in a statewide election. No more than one Council member can be from any one county. The elected membership shall be regionally representative. There shall be three general education teachers from each programmatic level, two from special education, two from vocational education, and one principal representing each programmatic level.

b. The representative from student support services shall be appointed in rotation by West Virginia School Counselor Association, West Virginia Educational Media Association, West Virginia School Nurses' Association and West Virginia Association of Social Services and Attendance.

c. The West Virginia School Personnel Association will appoint one personnel officer.

d. The West Virginia Association of School Administrators will appoint one superintendent.

e. The West Virginia Board of Regents will appoint all of the higher education faculty and administrators.

f. Nominations to the Council for the two lay citizen representatives will be solicited by the State Superintendent from a broad base of interested parties and appointed by the West Virginia Board of Education.

3.3 Ex-Officio Members - The state Superintendent of Schools or his designee and the Chancellor of the West Virginia Board of Regents or his designee shall serve as ex-officio members of the Council. These members will serve by virtue of their positions and are non-voting members of the Council.

3.4 Vacancies - In case a member is unable or unwilling to fulfill his specified term as a member of the Council by regular attendance, a

replacement for the member's unexpired term may be named by the appropriate appointing authority (see Article II, Section 2, Subsections 1 and 2 of these Bylaws). A partial term shall be considered a full term for purposes of reappointment.

3.5 Term - The members of the Council shall serve for a three-year term effective as of September 1 of the year in which the selection is made and shall serve until August 31 at the end of the three-year term. Members of the Council cannot serve more than two consecutive terms except in the case of the president and president-elect as specified in Section 4.3.

#### Section 4. Officers

4.1 Name of Officers - The officers of the Council shall consist of the president, the president-elect, and the standing committee chairpersons.

4.2 Election of Officers - The president and vice-president shall be selected alternately from higher education and public education. Prior to the last meeting of the school year, the outgoing president shall appoint a committee to nominate the president-elect. Nominations may also be made from the floor at the meeting. The president-elect shall be elected by a majority of the members of the Council who are present and voting at the meeting at which the election is held.

The standing committee chairpersons shall be nominated and elected by members of each standing committee at the last meeting of the Council each year.

The president-elect shall automatically succeed to the office of president at the expiration of the president's term of office or with the president's inability to serve. In the event that the president-elect succeeds to the presidency through the president's inability to serve, the Council shall at its next scheduled meeting, select a new president-elect.

4.3 Term of Office - The president and president-elect shall serve a two-year term of office following the election.

The standing committee chairpersons shall serve a one-year term of office following their election.

In the event that a committee chairperson becomes unable to serve in that capacity, the standing committee shall select a replacement for that office at the next meeting of the Council.

4.4 ~~Expiration~~ of Appointment During Term as President or President-Elect - A member serving as president or president-elect whose appointment to the Council expires during tenure in office shall be reappointed by the appropriate appointing authority for an additional three-year term in order to fulfill the duties as an officer.

#### 4.5 Duties

- a. The president shall preside at all meetings of the Council and the executive committee, appoint ad hoc committees and special committees, and perform such other duties as may further the Council's role, functions, and objectives.

- b. The president-elect shall perform the duties of the president upon the president's absence and other duties as directed by the president.
- c. The president and president-elect of the Council shall serve as members of the Certification Appeals Board in accordance with provisions contained in West Virginia Board of Education Policy 5202.
- d. The standing committee chairpersons shall provide leadership and manage the affairs of the respective standing committees. The chairpersons shall be responsible for implementing the standing committee's objectives and reporting to the Council.

4.6 Secretary - The West Virginia Department of Education shall provide secretarial services needed for the successful and efficient operation of the Council. The Secretary shall record and distribute the objectives, proceedings, and results of the Council deliberations as directed by the Council and shall serve as secretary to the executive committee. The secretary shall also be responsible for arranging the meeting places and for the distribution of the agenda for each meeting following consultation with the president.

Section 5. Executive Committee

5.1 Composition - The executive committee shall be composed of the president, the president-elect, and the chairpersons of the standing committees. The two ex-officio members of the Council will serve as non-voting members of the executive committee. The secretary to the Council shall attend all meetings of the executive committee and shall record the proceedings thereof.

5.2 Functions - The executive committee shall manage the affairs of the Council and shall be responsible for the fulfillment of the Council's role, functions, and objectives. The executive committee shall meet regularly to give particular attention to planning and communication, establishing appropriate structures for implementing stated Council objectives, providing for necessary direction and information to committees, and determining Council objectives which shall require committee and/or Council attention.

Section 6. Structure

6.1 Standing Committees - The standing committees shall review and make recommendations to the Council concerning all matters referred to them by the Council president and the Executive Committee. The standing committees may also initiate actions on professional education issues which are identified by the committee members as issues that need to be addressed. Each member of the Council shall be assigned to serve on one of the two standing committees:

- a. Committee for Preparation and Certification of School Personnel - The committee shall be responsible for the continuous assessment of programs, standards, and processes, for the preparation and certification of school personnel.

- b. Committee for Professional Development of School Personnel- The committee shall be responsible for the continuous assessment of programs, standards, and processes involved in the professional development of school personnel.

6.2 Special Committees - Special committees may be established by the president or may be recommended by the Council to meet a special or temporary need of the Council. Appointment to special committees shall be made by the president upon the recommendation of the executive committee.

#### Section 7. Governance

7.1 Meetings - The Council shall hold a minimum of five regular meetings each year with meeting dates and places to be established and published by the executive committee by September 1 annually. The Council will meet in each Regional Education Service Agency region once every two years to conduct a public hearing concerning Professional Education. Additional Council meetings may be required as determined by the executive committee or the Council. Meeting dates may be changed by the executive committee with adequate prior notice having been given to the membership and the public.

7.2 Quorum - The majority of the Council membership shall constitute a quorum.

7.3 Voting - Each Council member shall be entitled to vote on each question. Unofficial representatives, invited guests, and ex-officio members of the Council may have the right of discussion but shall not vote. Votes by proxy shall not be permitted.

7.4 Procedure - Robert's Rules of Order, Newly Revised, shall govern all meetings unless otherwise stated by the Bylaws.

#### Section 8. Finance

8.1 Expense - Expenses incurred by Council members in performance of their duties shall be provided by the West Virginia Department of Education.

8.2 Grants and Appropriations - Grants and appropriations to initiate or continue a Council endorsed program of action may be derived from some other constituted financial channels designated for a specific program and expanded by those administering the program.

#### Section 9. Revisions

9.1 Proposed revisions to the structure and function of the Council shall be presented for discussion at a scheduled meeting of the Council. Revisions may not be voted on before the next scheduled meeting and unless a majority of the Council is present. When approved by two-thirds of the members present and voting the proposed revisions shall be presented to the West Virginia Board of Education.

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TRANSITIONAL MEMBERSHIP

Current members and officers of the Council shall continue for the duration of their term of appointment. For the year beginning September 1, 1987, the following educators are needed to complete the revised composition of the Council:

- One early childhood education principal.
- One middle childhood education principal.
- One personnel officer.
- Two vocational education teachers.
- Two special education teachers.
- One student support services professional representative.
- Two elementary classroom teachers.
- Two middle school teachers.
- Two adolescent education teachers.
- One county staff development coordinator.

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1/12/87

KEN HECHLER  
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STATE OF WEST VIRGINIA  
SECRETARY OF STATE

Charleston 25305

APR 11 1988  
WILLIAM H. HARRINGTON  
Chief of Staff

RICH O. HARTMAN  
Director, Administrative Law

DONALD R. WILKES  
Director, Corporations

VIRGINIA SKEEN  
Special Assistant

(Plus all the volunteer  
help we can get)

TO: Brent Thompson, Bd of Ed.

FROM: RICH O. HARTMAN, DIR. ADMIN. LAW DIV.

DATE: April 9, 1988

THE ATTACHED RULE(S) RECENTLY FILED BY YOUR AGENCY HAVE BEEN ENTERED INTO THE COMPUTER. PLEASE REVIEW AND PROOF AND RETURN WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS PLEASE SIGN THIS MEMO AND RETURN TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF YOUR RULE(S) 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 154*

THE ATTACHED RULE(S) HAVE BEEN REVIEWED AND ARE CORRECT.

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

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

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

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THE ATTACHED RULE(S) HAVE BEEN REVIEWED AND NEEDS CORRECTED. THESE CORRECTIONS HAVE BEEN MARKED.

SIGNED: Brenda H. Thompson

TITLE OF PERSON SIGNING: Research Assistant

DATE: 20 April 1988