

1117

10/11/1917

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FISCAL NOTE WORKSHEET

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

Policy 5105 West Virginia
SUBJECT Council on Professional Education FUND _____

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	\$	\$ 5,800	\$ 20,000	\$ 20,000	\$ 14,200
PERSONAL SERVICES	\$	\$	\$	\$	\$
CURRENT EXPENSES					
REPAIRS AND ALTERATIONS					
EQUIPMENT					
OTHER					
2. ESTIMATED TOTAL REVENUES	\$	\$ 5,800	\$ 20,000	\$ 20,000	\$ 14,200

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

The reorganization of the West Virginia Council on Professional Education will result in a reduction of approximately \$5,800 in annual expenditures due to the downsizing of the membership from 27 members to 19 members and the reduction of regular meetings held annually from five to four sessions.

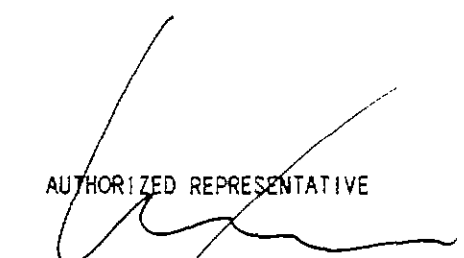
This does not include an allocation for the Certification Appeals Board.

IMPACTS
FISCAL:

STATE STAFF:

DATE _____ AGENCY West Virginia Department of Education

AUTHORIZED REPRESENTATIVE


William J. Luff, Jr.
Associate State Superintendent

EXECUTIVE SUMMARY
WEST VIRGINIA BOARD OF EDUCATION

POLICY NUMBER AND TITLE: Policy 5105
West Virginia Council on Professional Education

PUBLIC COMMENT PERIOD ENDS: February 22, 1994 ADOPTED: _____

BACKGROUND

The West Virginia Council on Professional Education (hereafter, COPE or Council) advises the West Virginia Board of Education on matters related to the preparation, licensure, and professional development of educational personnel. The Council, in its present form, was established in 1988 by the State Board's adoption of Policy 5105. Activities are funded through a West Virginia Department of Education budgetary allocation.

PROPOSED REVISIONS

1. Council membership would be reduced from twenty-seven members to nineteen members, with public school teachers reduced from thirteen to ten members, eight of whom are elected. Two at-large public school teachers shall be appointed by the West Virginia Board of Education to assure representation in special education and vocational education. Teachers would constitute a majority of the membership.
2. The reduction in membership size will be phased in to accommodate members serving the terms for which they were elected or appointed. Hence, the nineteen membership level will not be achieved until the fall of 1997 (see chart attached to Policy 5105).
3. The number of COPE meetings would be reduced from five to four meetings.
4. The two at-large teachers shall be appointed by the West Virginia Board of Education from special education and/or vocational education ranks if not included in elected membership.
5. The state-wide election and representation for teachers would be eliminated and replaced by regional representation and elections.
6. The county staff development coordinator and middle school principal appointed membership categories would be eliminated.
7. Council members would be limited to one three-year term.
8. The President-elect and the President's term of office would be reduced from two years to one year after a phase-in period to accommodate current terms.

RATIONALE FOR PROPOSED REVISIONS

1. The downsizing of the COPE membership is in response to a West Virginia Department of Education request prompted by present and possibly future budgetary exigencies. The proposed change will not compromise COPE's mission or function as an advisory body to the State Board.

2. Members who were duly elected or appointed for specified terms should be honored in the proposed downsizing. However, most of the reduction in membership size will be achieved by the fall 1994 session of COPE.
3. The proposed change to fewer meetings is also prompted by budgetary exigencies with minimal impact on COPE's advisory role on educational personnel issues.
4. With the proposed downsizing, all elected teacher positions should be unrestricted as to current teaching assignment. Geographic restrictions would be retained to ensure that each region would have one elected teacher representative. The at-large teacher category will also ensure representation from both special education and vocational education categories.
5. Participation in elections to select a regional representative is more likely to be increased since candidates for teacher membership slots would have a greater opportunity to make themselves known to the local teacher constituency. Participation in state-wide COPE elections as per current provisions has proven to be minimal.
6. The reduction in Council membership prompted a review of membership categories that could best serve the mission of the organization. Although some categories were eliminated, the proposed membership structure represents major stakeholders in the issues deliberated by the Council. Also, since all COPE meetings are open, other educational or citizen representatives may observe and/or address the Council at any meeting.
7. The limitation of one three-year term for both appointed and elected members will encourage more participation by the profession.
8. The proposed reduction of President-Elect and Presidential terms to one-year terms is more in keeping with common practice for leadership positions in an organization. Under current Policy 5105 provisions, an individual serves four years in leadership positions, i.e., two years as President-Elect and two years as President.

HK:rk:4112g/0135g

The West Virginia Council on Professional Education

The West Virginia Board of Education recognizes the importance of teacher preparation, teacher certification and staff development to the delivery of quality education programs for the state's school children. As part of its efforts to improve the quality of educational personnel, the Board is committed to soliciting input from the profession on issues and policies related to the training and certification of professional personnel.

The West Virginia Board has, therefore, established the West Virginia Council on Professional Education as a representative of the profession on professional education concerns. The Council and other professional groups play a major role in the development, review and implementation of educational personnel policies. The Board and the West Virginia Department of Education will continue to support the Council via the allocation of human and fiscal resources to facilitate the organization's role in implementing Board goals and policies.

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

FILED

JAN 21 2 16 PM '94

TITLE: The West Virginia Council on Professional Education
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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 - The authority for this legislative rule is established in the West Virginia Constitution, Article XII, Section 2, and in West Virginia Code §18-2-5.

1.3 Filing Date -

1.4 Effective Date -

1.5 Repeal of Former Rule - None - This is a revision of the original policy which became effective 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 make rules in accordance with the provisions of article three-b, chapter twenty-nine-a of this code for carrying into effect the laws and policies of the state..."

2.2 The West Virginia Board of Trustees and Board of Directors - The Boards of Trustees and Directors develop policies and procedures pertinent to professional preparation through its establishment of admissions standards and curricular and degree programs; its establishment 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 primary role of the Council is to represent the profession on matters of professional preparation and development to the West Virginia Board of Education, Boards of Trustees and Directors 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.

- 2.4 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 licensure 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 licensure, and staff development to the Board of Education, the Boards of Trustees and Directors, 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, Trustees, and Directors as appropriate to their areas of responsibility.

Section 3. Membership

3.1 Council Composition The Council shall be composed of nineteen ~~(19) 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. Ten (10) Thirteen---(13) public school teachers (includes classroom teachers, librarians, and student support service personnel) as---follows: with one teacher from each Regional Education Service Agency area and two at-large teacher members.

~~Nine-classroom-teachers-assigned-to-teach-general education:~~

~~Two-classroom-teachers-assigned-to-teach-vocational education:~~

~~Two-classroom-teachers-assigned-to-teach-special education:~~

~~One-Professional-Educator-assigned-to-the-student support-services-area:~~

- b. ~~e-Six-(6)~~ Four (4) school administrators as follows:

~~One principal whose-assignment-is-in-a-school-which-is predominantly-early-childhood-education: who is assigned in a school that includes grades within the grade span K-8.~~

~~One principal whose-assignment-is-in-a-school-which is-predominantly-middle-childhood-education: who is assigned in a school that includes grades within the grade span 5-12.~~

~~One principal whose assignment is 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. ~~d. ---~~ Five ~~(5)~~ Three (3) higher education representatives ~~as follows: (administrator or teaching faculty) one each from an institution under the jurisdictions of the West Virginia Board of Trustees, the West Virginia Board of Directors and the West Virginia Association of Independent Colleges.~~

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

~~Two administrators from institutions of higher education;~~

- d. e. Two (2) lay citizens, ~~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. Elected Members

~~Thirteen classroom teachers shall be elected by their peers in a statewide election. -- No more than one Council member can be from any one county and no more than two members from any RESA. -- The geographic restrictions for election to membership may be waived only when there are no other candidates for the specific category vacancies from eligible RESAs or counties. -- There shall be nine general education teachers, two special education teachers, and two vocational education teachers.~~

One public school teacher from each Regional Education Service Agency area shall be elected by his or her peers in an election conducted in each RESA. A county within a RESA may not be represented in succession unless the extension of a county's representation is necessary to accommodate the term of a president or president-elect. The county restriction for election to membership may be waived only when there are no other candidates from eligible counties.

~~One student support services representative;~~

b. Appointed Members

- 1) The ~~three~~ two principals shall represent grades K-8 and 5-12 categories each of the three programmatic levels and shall be appointed by the West Virginia Elementary Principals Association, ~~the West Virginia Association for Middle Level Education,~~ and the West Virginia Association of Secondary School Principals, respectively.
- 2) The West Virginia School Personnel Association will appoint one personnel officer.
- 3) The West Virginia Association of School Administrators will appoint one county superintendent.
- ~~4)-----The West Virginia staff development coordinators will appoint one staff development coordinator.~~
- 4) 5) The West Virginia Board of Trustees, ~~will appoint one faculty and one administrator from its system,~~ the West Virginia Board of Directors ~~will appoint one faculty and one administrator from its system,~~ and the West Virginia Association of Independent Colleges will each appoint one member ~~who shall be a~~ institutional administrator or faculty member.
- ~~6)-----Nominations to the Council for the two lay citizen representatives will be solicited by the State Superintendent from a broad base of interested parties. The lay citizens will be appointed by the West Virginia Board of Education.~~
- 5) The West Virginia Board of Education shall appoint two lay citizens from nominations solicited by the State Superintendent from a broad base of interested parties.
- 6) The West Virginia Board of Education shall appoint two at-large public school teacher members. The at-large teacher appointments shall be unrestricted as to professional assignment except where the elected teacher representatives do not include a teacher from special education and a teacher from vocational education. In that instance, the at-large teacher appointment(s) must be from the special education and/or vocational education categories not included among the elected teachers.

3.3 Phase-in of Changes in Council Membership Modifications in the Council's membership shall not affect the terms of current members. Such modifications shall be implemented only as vacancies occur. Also, two elected representatives shall have their terms extended one year to more evenly replace elected members. The COPE membership, at its October 1993 session, determined by drawing lots that representatives from RESA I and VIII shall have their terms extended by one year from 1996 to 1997.

3.43 Ex-Officio Members The State Superintendent of Schools or his designee and the Chancellors of the Boards of Trustees and Directors or their designees shall serve as ex-officio, non-voting members of the Council.

3.54 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, Subsection 1 and 2 (Section 3.2 of these Bylaws) or by the State Board of Education for vacancies in elected positions. A partial term shall be considered a full term for purposes of reappointment.~~

3.65 Term ~~The members of the Council~~ members shall serve for a three-year term ~~effective as of beginning~~ July 1 of the year in which the selection is made and ~~shall serve until concluding~~ June 30 at the end of the three years. ~~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.~~ Members fulfilling a partial term may be elected or reappointed to a full term.

3.76 Change in Status A change in status of Council members during their term shall not effect their standing, unless they leave the state of West Virginia ~~or change their membership category as defined in 3.1.~~

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-elect and president shall be selected annually, alternately from higher education and public education Prior to the next 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 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.

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

4.3 Term of Office The president's term is for one (1) ~~two-(2)~~ year. The president-elect's term is for one (1) ~~two--(2)~~ year.^s However, the president-elect at the time of the effective date of this policy shall serve a two-year term as president. The president-elect selected after the effective date of this policy shall serve a two-year term as president-elect followed by a one year term as president. Thereafter, the terms for both president-elect and president will be for one year.

The standing committee chairpersons shall serve a one-year term of office following their election. Members whose terms expire on June 30 of the year the committee chair elections are held, are not eligible for chairperson candidacy.

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 Term During Office of President or President-Elect A member serving as president or president-elect whose term appointment-to on the Council expires during tenure in office shall be reappointed by the appropriate--appointing--authority state board for an additional period required 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 committee chairs 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 three 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 Licensure of School Personnel - The committee shall be responsible for the continuous assessment of programs, standards, and processes, for the preparation and certification licensure 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 four 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.

0873g - 11-7-89
2707g/HK23/5-10-91
3952g/0135g/Draft Revision 12/22/93
4128g/0135g/Revision 1/14/93

PHASE-IN OF NEW MEMBERSHIP

MEMBERSHIP AT BEGINNING OF YEAR	MEMBERSHIP AT END OF YEAR	TERM EXPIRES	RESA ELECTION	APPOINTMENTS FOR NEXT YEAR
1993-94	24	1994 Adams (7) Andes (BOT) Frame (CP) Gonzales (1) Hadley (BOD) Page (3) Phillips (PE) Simms (3) Springer (8) Teets (CS)	RESA 3 (not Putnam County)	<ul style="list-style-type: none"> • County Superintendent • School Personnel Officer • Two lay citizens • Two at-large teacher members • RESA IV teacher appointed by WV Board of Education for one-year term.
1994-95	21	1995 Childress (BOT) Craft (4)(Resigned) Harris (6) Harrison (2) Pinkstaff (7) Scott (PE)	RESA 4 (not Fayette) RESA 7 (not Monongalia)	<ul style="list-style-type: none"> • Higher Education - Trustees • Principal, K-8
1995-96	19	1996 Bonnell (6) Davis (5) Gibson (2) Kean (IC) Cleminson (BOD) Cunningham (PS)	RESA 2 (not Mingo) RESA 5 (not Wood) RESA 6 (not Hancock)	<ul style="list-style-type: none"> • Higher Education - Directors • Principal, 5-12 • Higher Education- Independent Colleges
1996-97	19	1997 Y. Harris (1) J. Shaffer (8)	RESA 1 (not Mercer) RESA 3 (ineligible county not as yet determined) RESA 8 (not Mineral)	<ul style="list-style-type: none"> • Two lay citizens • School Personnel Officer • Two at-large teacher members • County Superintendent

Number = RESA (Elected)
 BOT = Board of Trustees Appointment
 BOD = Board of Directors Appointment
 CS = County Superintendent Appointment
 IC = Independent Colleges Appointment
 PE = K-8 Principal Appointment
 PS = 5-12 Principal Appointment
 CP = County Personnel Officer Appointment

HK:rk:3953g/COPE94

COMMENT LOG
WEST VIRGINIA COUNCIL ON PROFESSIONAL EDUCATION
POLICY 5105

Directions: Please use this form in commenting by section on the proposed policy revisions.

NAME OF INDIVIDUAL/ORGANIZATION _____

ADDRESS _____

Policy Sections Where Proposed Revisions Are Located	C O M M E N T S
Section 3. Membership	
Section 4. Officers	
Section 7 Governance	

Please submit comments by February 22, 1994 to:

Dr. Howard Kardatzke, Director
Office of Professional Preparation
West Virginia Department of Education
Building 6, Room B-337
Charleston, WV 25305