

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

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SEP 15 3 42 PM '97

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Board of Education TITLE NUMBER: 126
RULE TYPE: Procedural; CITE AUTHORITY W.Va. Const., Art. XII, §2,
W.Va. Code §§ 18-2-5 and
AMENDMENT TO AN EXISTING RULE: YES NO 18-2E-4
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 191
TITLE OF RULE BEING AMENDED: Better Schools Accountability: School,
School District and Statewide School Report Cards (7300)
IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____
TITLE OF RULE BEING PROPOSED: _____

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON October 17, 1997 AT 4:45 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

Doris A. White
Coordinator of Information Systems
West Virginia Department of Education
Building 6, Room 346
1900 Kanawha Boulevard, East
Charleston, WV 25305-0330

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Cynthia G. Evans

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

**EXECUTIVE SUMMARY
WEST VIRGINIA BOARD OF EDUCATION**

POLICY NUMBER AND TITLE: Policy 7300

**Better Schools Accountability: School, School District and
Statewide School Report Cards**

PUBLIC COMMENT PERIOD ENDS: October 17, 1997 **ADOPTED:** _____

Background: Policy 7300 was written to implement provisions of West Virginia Code §18-2E-4, enacted by the legislature in June 1988, where a system of accountability for public education was established through the publication of school-, district- and state-level report cards.

Purpose: Policy 7300 identifies the indicators to be reported, the process of collecting and reporting the information, and procedures that are to be followed. S.B. 300 requires that additional indicators be reported. In addition, the West Virginia Education Information System (WVEIS) allows for better and more standardized methods of reporting information. The revisions reflect those changes and realign Policy 7300 with S.B. 300.

126CSR191

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TITLE 126
PROCEDURAL RULE
WEST VIRGINIA BOARD OF EDUCATION

SEP 15 3 42 PM '97

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SERIES 191
BETTER SCHOOLS ACCOUNTABILITY: SCHOOL, SCHOOL DISTRICT
AND STATEWIDE SCHOOL REPORT CARDS (7300)

§126-191-1. General.

1.1. Scope. -- These rules establish an accountability system for public education; Report cards for use at the school, county, and state levels will be developed and disseminated to parents and the public as well as educational leaders. The purposes are to provide identification of indicators of performance, establish methods for collecting and reporting data, and develop a format for three (3) different report cards -- one (1) for the school, one (1) for the county school system, and one (1) statewide.

1.2. Authority. -- W.Va. Constitution Article XII, Section 2, W.Va. Code §§18-2-5 and 18-2E-4

1.3. Filing Date. -- ~~June 5, 1994~~

1.4. Effective Date. -- ~~July 15, 1994~~

§126-191-2. Indicators and Method of Prescribing Assessment.

2.1. Indicators of student performance and other student data ~~must~~ will be collected and reported for comparison at the school level with ~~school~~, county, state, regional, and national data. Data for selected indicators ~~must~~ will be collected and reported for more than one (1) year, as available and appropriate.

2.1.1. Test results from NAEP (National Assessment of Educational Progress, ~~critereon-referenced test~~) ~~must~~ will be reported in the state report card. (~~Effective 1990-91~~)

2.1.2. Test results from the statewide assessment program adopted by the West Virginia Board of Education WV-STEP (West Virginia Statewide Testing of Educational Progress) ~~must will~~ be reported for grades 3 through 11 in the school, county, and state report cards. (~~Effective 1990-91~~)

2.1.3. School attendance rates for grades K-12 will be reported as a percentage ~~by dividing the total days present by the sum of total days present plus total days absent and multiplying by 100.~~ (~~Effective 1989-90~~)

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~~2.1.4. For grades K-8, the percent of students promoted to the next grade will be determined by dividing the number of students promoted by the total enrollment at the end of the school year and multiplying by 100. The number of waivers of the promotion standard granted will be reported. (Effective 1989-90 for percent of students promoted and beginning in 1990-91 with grades K-4 for number of waivers to promotion standard)~~

~~2.1.5. The graduation rate, adjusted for migration, will be calculated according to the number of ninth graders who remain in school and graduate. will be the percent of students who have graduate from all public high schools in the county school system. The percent is the total number of public high school graduates divided by the total number of ninth graders four years earlier, adjusted for extenuating factors, such as transfers, and multiplied by 100. (Effective 1992-93)~~

~~2.1.9. The Dropout rate will be calculated according to the formula of the National Center for Education Statistics, reported as a percent determined by dividing the number of students who leave a public school for any reason except death, before graduation, and who have not transferred to another school by the number of dropouts and the number promoted from the highest grade in the school, multiplied by 100. (Effective 1989-90 for school data)~~

~~2.1.6. Excluding initial enrollment, student mobility will be reported by giving percentages determined by transfers in and transfers out including preceding summer months divided by enrollment and multiplied by 100. (Effective 1989-90)~~

~~2.1.7. The percent of twelfth graders taking a college entrance examination will be reported. (College entrance examinations are limited to ACT and SAT.) (Effective 1988-89)~~

~~2.1.6. The percentage of graduates taking the ACT (American College Testing) will be reported. The ACT Composite score for a school will be reported when ten or more students are tested.~~

~~2.1.7. The percentage of graduates taking the SAT (Scholastic Aptitude Test) will be reported. The SAT Math and Verbal scores for a school will be reported when ten or more students are tested.~~

~~2.1.8. The percentage of sophomores and percentage of juniors taking the PSAT (Preliminary Scholastic Aptitude Test) will be reported. (Effective 1988-89)~~

~~2.1.9. The percentage of tenth, eleventh and twelfth grade students who took an advanced placement course in high school will be reported.~~

~~2.1.10. The number percentage of tenth, eleventh, and twelfth graders students who took Advanced Placement Examinations (The College Board) shall will be reported by subject area. (Effective 1988-89)~~

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2.1.11. The percentage of twelfth graders taking Advanced Placement Examinations (The College Board) who scored a 3 or higher on the examinations will be reported.

2.2. Indicators based on the relationship among students, personnel, classes, and courses will ~~have data collected and be reported to compare conditions~~ at the school, county, and state levels.

~~2.2.1. The average class size is~~ will be determined by dividing the number of students in regular education classes in grades 1-12 by the number of classes. ~~rank-ordering classes by size and determining the class in which the student at the 50th percent of cumulative enrollment occurs. Classes are defined as groups of students arranged for instructional purposes for a full period. Excluded are special education classes, band/orchestra, and choir/music. (Effective 1989-90) in English language arts, mathematics, science, social studies, or in self-contained regular education classes.~~

~~2.2.2. The p~~Percentage of enrollments ~~students~~ in grades 9-12 enrolled in foreign language, mathematics, science, English/language arts, and social ~~science~~ studies courses will be reported. (Effective 1989-90)

~~2.2.3. Percent of enrollments in college preparatory and vocational education will be reported. (Effective 1989-90)~~

~~2.2.4. Amount of time per day devoted to foreign language, mathematics, science, English/language arts and social science at middle, junior high and high school will be reported. (Effective 1989-90)~~

~~2.2.53. Pupil-teacher ratio is~~ will be determined by dividing the total number of pupils by the total number of classroom teachers for grades K-12, excluding librarians and counselors, but including head teachers, on a FTE basis. (Effective 1987-88)

~~2.2.64. The number of classrooms for which requests for exceptions to pupil-teacher ratio as set forth in W. Va. Code §18-5-18A were made and the number of classrooms for which exceptions were granted are~~ will be reported. (Effective 1988-89 for school data)

~~2.2.75. The pupil-administrator ratio is~~ will be determined by dividing the number of pupils enrolled by the number of school administrators on a FTE basis. (Effective 1987-88)

~~2.2.86. The number of split grade classrooms is~~ will be reported. (Effective 1988-89)

2.2.7. The percentage of students by career cluster as indicated on the individualized student transition plans will be reported for grades 9-12. (Effective 1999-2000)

2.3. Indicators based on expenditures, ~~economic conditions,~~ personnel qualifications, and school size will ~~have data collected and be reported for comparison~~ at school, county, and state levels.

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~~2.3.1. County Operating expenditures per pupil, excluding costs which cannot be attributed to individual schools according to current Handbook accounting procedures, and debt services, clearing accounts, and capital expenditures, are will be determined by dividing the total operating expenditures for the entire fiscal year by the average tenth-month enrollment, determined at the end of the school year. (Effective 1988-89 for county and state data and 1989-90 for school data)~~

~~2.3.2. County instructional and noninstructional expenditures, using object and program-function dimensions (Handbook H, RR), will be provided in graphic display, for the following areas: (Effective 1988-89)~~

~~2.3.2.1. Personnel Services (100)~~

~~2.3.2.2. Employee Benefits (200)~~

~~2.3.2.3. Purchased Professional Services (Consultants) (300)~~

~~2.3.2.4. Purchased Property Services (400)~~

~~2.3.2.5. Other Purchased Services (500)~~

~~2.3.2.6. Supplies (600)~~

~~2.3.2.7. Property including acquisition for improvement, costs, improvement to buildings, and equipment (700)~~

~~2.3.2.8. Other (800)~~

~~2.3.2.9. Debt Services and Other Transfers (900)~~

~~2.3.3. The number percentage of teachers and administrators at by each educational level is will be reported at the school level. The number of administrators and the number of teachers at each educational level are reported at the county and state levels. The educational levels are: Bachelors, Bachelors +15, Masters, Masters +15, Masters +30 and Doctorate. (Effective 1987-88)~~

~~2.3.4. The average number of years of experience of administrators and teachers are will be reported for each school. The average years of experience of administrators and average years of experience of teachers are also reported at the county and state levels. (Effective 1987-88)~~

~~2.3.5. The number of administrators and classroom teachers employed that exceeds the number allowed by the public school support plan and the amount of salary supplements that would be available per state authorized employee if all expenditures for the excess employees were converted to annual salaries for state authorized administrators and classroom teachers will be reported.~~

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2.3.6. The number of service personnel employed that exceeds the number allowed by the public school support plan and the amount of salary supplements that would be available per state authorized employee if all expenditures for the excess employees were converted to annual salaries for state authorized service personnel will be reported.

2.3.57. The report card will indicate the grade range of the school and both graded and ungraded total enrollments for grades K-12 will be reported. (Effective 1987-88)

§126-191-3. Report Card Format and Process.

3.1. Each county school system must identify a contact for report cards who serves as liaison between the State Department of Education and the county school system and who oversees and coordinates data collection, and reporting efforts, and the duplication and dissemination of report cards, as stipulated in this policy. The name, title, and mailing address of this contact are must be forwarded to the state superintendent of schools within two (2) weeks of the effective date of this policy. If the contact is changed, the county superintendent is responsible for notifying the state superintendent of the change.

~~3.2. Individual school report card data is transmitted in the form prescribed to the State Department of Education and returned to the county school system for dissemination.~~

~~3.3. Data is collected as per instructions which include a common date, if possible and applicable.~~

~~3.4.2. The subsequent year's Goals for each school year (July 1-June 30) are reported by and for the school and the county school system. Goals and measurable objectives to correct deficiencies in performance of the school system are determined annually by each school and county board of education to correct deficiencies in performance of the school system. Evidence of attainment of prior year's goals is prominently reported in an appendix provided by the school or county school system.~~

~~3.2.1. Goals and their attainment that have been made public prior to the release of the report cards do not have to be included in an appendix to the report cards.~~

~~3.5. Report cards are completed and disseminated prior to the first day of January each year and shall be based upon information for the current school year or for the most recent school year for which such information is available.~~

3.63. Instructions and guidelines for the collection of data and the reporting of data to the State Department of Education will be made available to county school systems on or before July 1 of that school ~~each year preceding dissemination of such data in the report card.~~ The county board of education shall ~~report~~ transmit information requested by to the State Department of Education through WVEIS (West Virginia Education Information System) unless otherwise specified ~~on the forms provided~~. The information must be certified by the county superintendent as accurate and complete and sent to the State Department of Education by the specified deadlines ~~no later than~~

September 15 for inclusion in the upcoming year's report card.

~~3.74. The county r~~Report cards shall be mailed from the State Department of Education to the county boards of education by December 1 of each year and shall be presented to the county board of education at or before the a regular meeting in December of the county board. All data in the county and school report cards shall be made public information after they ~~county report cards~~ have been presented to the county board of education. ~~After presentation at the December regular board meeting and shall be made available to a newspaper of general circulation serving the county prior to December 31 of that each year, the county report card shall be made available to a newspaper of general circulation serving the county.~~

~~3.85. Within 30 days of receiving the original copies from the Department of Education,~~ Individual school report cards must be mailed by the county school system or school using the U.S. Postal Service or hand delivered by students to the custodial parent or guardian of all children enrolled at that school. If the county board of education chooses hand delivery by students, then written verification must be provided to the school that the custodial parent or guardian has received the school report cards.

§126-191-4. Certification of Training by Administrators and Board Members.

~~4.1. The state report card will~~ included on all county report cards is the listing of members of the county board of education members' including their full name, term expiration date, attendance at an orientation program for new members approved by the state board West Virginia Board of Education and conducted by the West Virginia sSchool bBoard aAssociation or other approved organizations, and number of hours of training that meets standards prescribed by the West Virginia Board of Education received during the school term reported which meets standards prescribed by the State Board. (Effective 1988-89)

~~4.2. The state report cards will~~ contain the names of the county superintendent and every assistant and associate superintendent and the number of training programs related to their area of school administration for the school term reported. ~~(Effective 1989-90 for training attendance)~~

§126-191-5. Nontraditional Program Report. (Effective 1990-91)

~~5.1. A nontraditional public school is defined as a public school, such as an alternative high school, established and funded by a county board of education which deviates schoolwide from state requirements for at least one of the following and for which a waiver has been obtained:~~

~~5.1.1. roles for administrators, counselors, teachers, students;~~

~~5.1.2. patterns of governance, management, administration;~~

~~5.1.3. student reporting and evaluation methods;~~

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~~5.1.4. methods of organizing and grouping;~~

~~5.1.5. uses of school day and year or amount of instruction;~~

~~5.1.6. graduation requirements, attendance, or promotion.~~

~~5.2. Nontraditional schools provide a report card with the following information:~~

~~5.2.1. WV-STEP Results by Grade (if applicable)~~

~~5.2.2. School Attendance Rates~~

~~5.2.3. Student Mobility~~

~~5.2.4. Pupil/Teacher Ratio~~

~~5.2.5. Pupil/Administrator Ratio~~

~~5.2.6. Operating Expenditure per Pupil (if applicable)~~

~~5.2.7. Number of Administrators and Teachers at Each Educational Level~~

~~5.2.8. Average Years Experience of Administrators and Teachers~~

~~5.2.9. Upcoming Year's Targets and Attainment of Prior Year's Targets~~

5.1 An alternative education program is an authorized departure from the regular school program designed to provide educational and social development for students whose disruptive behavior places them at risk of not succeeding in the traditional school structures and in adult life without positive interventions.

5.2 The evaluation of the effectiveness of alternative education programs shall focus upon the impact of the program on student performance and results using indicators such as: academic gains; reduction in dropout rates; reduction in incidences requiring disciplinary action; improvement in attendance rates; rates of successful program completion and return to the regular school program; rates of successful completion of vocational training programs; rates of successful completion of high school graduation or attainment of a GED; and rates of successful job placement and job retention.

5.3 To the extent applicable and appropriate, information will be presented by the county school system in report card format for alternative education programs that are separate from the regular school.

§126-191-6. Other Information Collected and Available for Reporting Through the Better Schools Accountability Report Card Process.

6.1. Information will be provided by and disseminated as an appendix to the individual school report card for the following indicators:

6.1.1. The names of the members of the local school improvement council and

6.1.2. The name or names of the business partner or partners of the school.

~~6.1. Additional data may be added to meet decision making needs.~~

6.2. The need at the county or school level for including any new data in the individual school report card must be established and ~~then~~ inclusion of the such data in the report cards must be approved by the state superintendent.

6.3. County boards of education or schools cannot change any of the data reported in the West Virginia Report Cards, but may add to or expand upon the data through an appendix.

§126-191-7. Attainment of the Education Goals of West Virginia.

7.1. West Virginia Code §18-1-4(c) requires the State Board to annually report on the progress in attaining the education goals of the state. To the extent feasible, all or portions of the information contained in that report shall be included in the state report card.

**POLICY 7300: Better Schools Accountability: School, School District and
Statewide School Report Cards
Comments/Suggestions**

Directions: Please use this form in commenting on proposed Policy 7300. Additional sheets may be attached if needed.

Individual/Organization: _____

Position: _____

Name of County, School, Business, etc: _____

Street Address: _____

City/State/Zip: _____

Comments/Suggestions
126-191-1. General
126-191-2. Indicators and Method of Prescribing Assessment

126-19-3. Report Card Format and Process

126-191-4. Certification of Training by Administrators and Board Members

126-191-5. Nontraditional Program Report

**126-191-6. Other Information Collected and Available for Reporting Through
the Better Schools Accountability Report Card Process**

126-191-7. Attainment of the Education Goals of West Virginia

RETURN COMMENTS BY October 17, 1997 TO:

*Doris A. White
Coordinator of Information Systems
West Virginia Department of Education
Building 6, Room 346
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330*

FISCAL NOTE WORKSHEET
(Submit 4 Copies)

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

SUBJECT Policy 7300 Better Schools Accountability; School, School District and Statewide School Report Cards

FUND _____

SOURCE OF REVENUE: GENERAL FUND SPECIAL OTHER (SPECIFY) _____

COST OF ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

INCOME ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 & GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

EFFECT OF PROPOSAL	ANNUAL		CURRENT	FISCAL YEAR	
	INCREASE	DECREASE		NEXT 97-98	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

AGENCY

AUTHORIZED REPRESENTATIVE

August 25, 1997

West Virginia Department of Education

