

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

Form #5

Do Not Mark In this Box

**FILED**

Nov 14 3 12 PM '97

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 Board of Education TITLE NUMBER: 126

CITE AUTHORITY: W.Va. Const., Art. XII, §2 and W.Va. Code §§18-2-5 and 18-2E-4.

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 \_\_\_\_\_

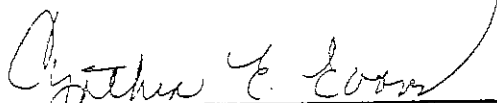
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 191

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 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 December 15, 1997.

  
Cynthia E. Evans  
Director, Legal Services

\$3.60

126CSR191

**EXECUTIVE SUMMARY  
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: November 14, 1997**

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**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.

**Comments:** There were no comments submitted on Policy 7300; however, minor technical changes were made and approved by the West Virginia Board of Education.

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TITLE 126  
PROCEDURAL RULE  
BOARD OF EDUCATION

SERIES 191

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

FILED

Nov 14 3 12 PM '97

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**§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, § 2 and W.Va. Code §§18-2-5 and 18-2E-4

1.3. Filing Date. -- November 14, 1997

1.4. Effective Date. -- December 15, 1997

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

2.1. Indicators of student performance and other student data will be collected and reported for comparison at the school level with county, state, regional, and national data. Data for selected indicators 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) will be reported in the state report card.

2.1.2. Test results from the statewide assessment program adopted by the West Virginia Board of Education will be reported for grades 3 through 11 in the report cards.

2.1.3. School attendance rates for grades K-12 will be reported as a percentage.

2.1.4. The graduation rate, adjusted for migration, will be calculated according to the number of ninth graders who remain in school and graduate.

2.1.5. The dropout rate will be calculated according to the formula of the National Center for Education Statistics.

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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.

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

2.1.10. The percentages of tenth, eleventh, and twelfth grade students who took Advanced Placement Examinations (The College Board) will be reported.

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 be reported at the school, county, and state levels.

2.2.1. The average class size will be determined by dividing the number of students in regular education classes in grades 1-12 by the number of classes. Classes are defined as groups of students arranged for instructional purposes for a full period in English language, arts, mathematics, science, social studies, or in self-contained regular education classes.

2.2.2. The percentages of students in grades 9-12 enrolled in foreign language, mathematics, science, English language arts, and social studies courses will be reported.

2.2.3. Pupil-teacher ratio 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 and permanent substitutes, on a FTE basis.

2.2.4. 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 will be reported.

2.2.5. The pupil-administrator ratio will be determined by dividing the number of pupils enrolled by the number of administrators on a FTE basis.

2.2.6. The number of split grade classrooms will be reported.

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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, personnel qualifications, and school size will be reported at school, county, and state levels.

2.3.1. County operating expenditures per pupil will be determined by dividing the total operating expenditures for the entire fiscal year by the tenth-month enrollment.

2.3.2. County instructional and noninstructional expenditures will be provided in graphic display.

2.3.3. The percentage of professional staff by each educational level will be reported.

2.3.4. The average number of years of experience of professional staff will be reported.

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.

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.

2.3.7. The grade range of the school and total enrollment for grades K-12 will be reported.

### **§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 Department of Education and the county school system and who oversees and coordinates data collection, reporting efforts, and the duplication and dissemination of report cards as stipulated in this policy. The name, title, and mailing address of this contact 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. Goals for each school year (July 1-June 30) are reported 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. Evidence of attainment of prior year's goals is prominently reported in an appendix provided by the school or county school system.

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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.

3.3. Instructions and guidelines for the collection of data and the reporting of data to the Department of Education will be made available to county school systems on or before July 1 of each year. The county board of education shall transmit information to the Department of Education through WVEIS (West Virginia Education Information System) unless otherwise specified. The information must be certified by the county superintendent as accurate and complete and sent to the Department of Education by the specified deadlines for inclusion in the report card.

3.4. Report cards shall be mailed from the 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 a regular meeting in December. All data in the county and school report cards shall be public information after they have been presented to the county board of education and shall be made available to a newspaper of general circulation serving the county prior to December 31 of each year.

3.5. 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, written verification must be provided to the school that the custodial parent or guardian has received the school report card.

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

4.1. The state report card will include county board of education members' full name, term expiration date, attendance at an orientation program for new members approved by the West Virginia Board of Education and conducted by the West Virginia School Board Association or other approved organization, and number of hours of training that meets standards prescribed by the West Virginia Board of Education received during the school term reported.

4.2. The state report card 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.

### **§126-191-5. Nontraditional Program Report.**

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;

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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.

6.2. The need at the county or school level for including any new data in the individual school report card must be established and inclusion of such data in the report card 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.

**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		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	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

\_\_\_\_\_



KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

JAN CASTO  
Deputy Secretary of State

CATHERINE FREROTTE  
Executive Assistant

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STATE OF WEST VIRGINIA

SECRETARY OF STATE

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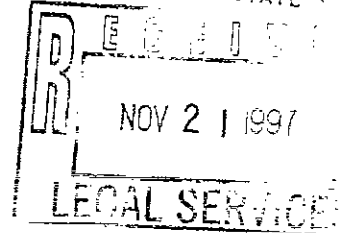
Dec 4 10 07 AM '97

WILLIAM H. HARRINGTON  
Chief of Staff

JUDY COOPER  
Director, Administrative Law

PENNEY BARKER  
Supervisor, Corporations

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE (Plus all the volunteer  
help we can get)



TO: Doris White  
VIRGINIA HARRIS

AGENCY: EDUCATION

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: November <sup>21</sup>20, 1997

THE ATTACHED RULE 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: 191 TITLE: 126 EDUCATION

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

SIGNED: Doris A. White

TITLE OF PERSON SIGNING: Coordinator of Information Systems

DATE: December 1, 1997

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

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

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

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

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