

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 3171**

4 (By Delegates Caputo, Longstreth, Manchin, M. Poling, Givens,
5 Rowan, Smith, Martin, Ellem, Walker and Frazier)

6 (Originating in the Committee on Finance)

7 [February 28, 2011]

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10 A BILL to amend and reenact §18A-3A-2 of the Code of West Virginia,
11 1931, as amended, relating to creating the "Jason Flatt Act of
12 2011"; providing teachers, administrators and others having
13 direct contact with students on the warning signs and
14 resources to assist with suicide prevention; and providing
15 teachers, administrators and others having direct contact with
16 students with the education and training necessary to ensure
17 the safety of state schools.

18 *Be it enacted by the Legislature of West Virginia:*

19 That §18A-3A-2 of the Code of West Virginia, 1931, as amended,
20 be amended and reenacted to read as follows:

21 **ARTICLE 3A. CENTER FOR PROFESSIONAL DEVELOPMENT.**

22 **§18A-3A-2. Professional development project.**

23 Subject to the provisions of section twenty-three-a, article
24 two, chapter eighteen of this code, through this project the center
25 shall:

26 (1) Identify, coordinate, arrange and otherwise assist in the

1 delivery of professional development programs and activities that
2 help professional educators acquire the knowledge, skills,
3 attitudes, practices and other such pertinent complements deemed
4 essential for an individual to demonstrate appropriate performance
5 as a professional personnel in the public schools of West Virginia.
6 The basis for such performance shall be the laws, policies and
7 regulations adopted for the public schools of West Virginia, and
8 amendments thereto. The center also may permit and encourage
9 school personnel such as classroom aides, higher education teacher
10 education faculty and higher education faculty in programs such as
11 articulated tech prep associate degree and other programs to
12 participate in appropriate professional development programs and
13 activities with public school professional educators;

14 (2) Identify, coordinate, arrange and otherwise assist in the
15 delivery of professional development programs and activities that
16 help principals and administrators acquire knowledge, skills,
17 attitudes and practices in academic leadership and management
18 principles for principals and administrators and such other
19 pertinent complements deemed essential for principals and
20 administrators to demonstrate appropriate performance in the public
21 schools of West Virginia. The basis for such performance shall be
22 the laws, policies and regulations adopted for the public schools
23 of West Virginia, and amendments thereto;

24 (3) Serve in a coordinating capacity to assure that the
25 knowledge, skills, attitude and other pertinent complements of
26 appropriate professional performance which evolve over time in the

1 public school environment are appropriately reflected in the
2 programs approved for the education of professional personnel,
3 including, but not limited to, advising the teacher education
4 programs of major statutory and policy changes in the public
5 schools which affect the job performance requirements of
6 professional educators, including principals and administrators;

7 (4) Provide for the routine updating of professional skills of
8 professional educators, including principals and administrators,
9 through in-service and other programs. Such routine updating may
10 be provided by the center through statewide or regional institutes
11 which may require a registration fee;

12 (5) Provide for the routine education of all professional
13 educators, including principals and administrators, and those
14 school service personnel having direct contact with students on
15 warning signs and resources to assist in suicide prevention under
16 guidelines established by the state board. The education may be
17 provided by the center through in-service professional development,
18 or as a part of statewide or regional institutes, or other programs
19 and may be accomplished through self-review of suicide prevention
20 materials and resources approved by the state board. The
21 provisions of this paragraph may be known and cited as the "Jason
22 Flatt Act of 2011";

23 ~~(5)~~ (6) Provide consultation and assistance to county staff
24 development councils established under the provisions of section
25 eight, article three of this chapter in planning, designing,
26 coordinating, arranging for and delivering professional development

1 programs to meet the needs of the professional educators of their
2 district. From legislative appropriations to the center for
3 professional development, exclusive of such amounts required for
4 the expenses of the principals academy, the center shall, unless
5 otherwise directed by the Legislature, provide assistance in the
6 delivery of programs and activities to meet the expressed needs of
7 the school districts for professional development to help teachers,
8 principals and administrators demonstrate appropriate performance
9 based on the laws, policies and regulations adopted for the public
10 schools of West Virginia.

11 Specifically, the center shall in consultation with county
12 staff development councils provide routine education and training
13 for all educators, principals, administrators, and those school
14 personnel that have direct contact with students on the authority
15 and responsibilities of teachers and other school personnel
16 exercising authority over the school and control over the students
17 as set forth in section one, article five of this chapter. In
18 consultation with the county staff development councils, the
19 education and training provided by the center may deliver programs
20 on a statewide basis that are common on these topics to all
21 counties, and may provide assistance to individual counties, as
22 requested, in delivering education and training on topics specific
23 to the county. In addition, in consultation with the county staff
24 development councils, the education and training may include
25 information on the authority and responsibilities of teachers and
26 other school personnel to promote the safety of state schools,

1 including but not limited to, harassment, intimidation and bullying
2 pursuant to article two-c, chapter eighteen of this code;
3 productive and safe schools pursuant to sections forty-two and
4 forty-three, article five, chapter eighteen of this code; the
5 prevention of child abuse, neglect and assault pursuant to section
6 fifteen-c, article five, chapter eighteen of this code; the
7 prevention, transmission and treatment of AIDS pursuant to section
8 fifteen-d, article five, chapter eighteen of this code; school
9 access safety plans pursuant to article nine-f, chapter eighteen of
10 this code; the bill of rights and responsibilities for students and
11 school personnel pursuant to section one-c, article five of this
12 chapter; and policies of the state board related to providing a
13 safe and productive school environment. This education and
14 training may be provided by the center through in-service
15 professional development or other programs approved by the state
16 board and delivered on a statewide basis on topics that are common
17 to all counties and through assistance to individual counties, as
18 requested, on topics specific to the county. Three clock hours of
19 the staff development for teachers and service personnel that are
20 held on non instructional days within the employment term shall be
21 used for the education and training on safety in the public schools
22 as set forth in this paragraph annually; and

23 ~~(6)~~ (7) Cooperate and coordinate with the institutions of
24 higher education to provide professional staff development programs
25 that satisfy some or all of the criteria necessary for currently
26 certified professional educators to meet the requirements for an

1 additional endorsement in an area of certification and for
2 certification to teach in the middle school grades.

3 If the center is not able to reach agreement with the
4 representatives of the institutions providing teacher education
5 programs on which courses will be approved for credit toward
6 additional endorsements, the state board may certify certain
7 professional staff development courses to meet criteria required by
8 the state board. This certification shall be done on a course by
9 course basis.

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