

COMMITTEE SUBSTITUTE

FOR

H. B. 3171

(BY DELEGATES CAPUTO, LONGSTRETH, MANCHIN, M. POLING,
GIVENS, ROWAN, SMITH, MARTIN, ELLEM, WALKER
AND FRAZIER)

(Originating in the Committee on Finance)
[February 28, 2011]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 3A. CENTER FOR PROFESSIONAL DEVELOPMENT.

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

1 Subject to the provisions of section twenty-three-a, article
2 two, chapter eighteen of this code, through this project the
3 center shall:

4 (1) Identify, coordinate, arrange and otherwise assist in
5 the delivery of professional development programs and
6 activities that help professional educators acquire the
7 knowledge, skills, attitudes, practices and other such
8 pertinent complements deemed essential for an individual to
9 demonstrate appropriate performance as a professional
10 personnel in the public schools of West Virginia. The basis
11 for such performance shall be the laws, policies and
12 regulations adopted for the public schools of West Virginia,
13 and amendments thereto. The center also may permit and

14 encourage school personnel such as classroom aides, higher
15 education teacher education faculty and higher education
16 faculty in programs such as articulated tech prep associate
17 degree and other programs to participate in appropriate
18 professional development programs and activities with public
19 school professional educators;

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

31 (3) Serve in a coordinating capacity to assure that the
32 knowledge, skills, attitude and other pertinent complements

33 of appropriate professional performance which evolve over
34 time in the public school environment are appropriately
35 reflected in the programs approved for the education of
36 professional personnel, including, but not limited to, advising
37 the teacher education programs of major statutory and policy
38 changes in the public schools which affect the job
39 performance requirements of professional educators,
40 including principals and administrators;

41 (4) Provide for the routine updating of professional skills
42 of professional educators, including principals and
43 administrators, through in-service and other programs. Such
44 routine updating may be provided by the center through
45 statewide or regional institutes which may require a
46 registration fee;

47 (5) Provide for the routine education of all professional
48 educators, including principals and administrators, and those
49 school service personnel having direct contact with students
50 on warning signs and resources to assist in suicide prevention
51 under guidelines established by the state board. The

52 education may be provided by the center through in-service
53 professional development, or as a part of statewide or
54 regional institutes, or other programs and may be
55 accomplished through self-review of suicide prevention
56 materials and resources approved by the state board. The
57 provisions of this paragraph may be known and cited as the
58 “Jason Flatt Act of 2011”;

59 (5)(6) Provide consultation and assistance to county staff
60 development councils established under the provisions of
61 section eight, article three of this chapter in planning,
62 designing, coordinating, arranging for and delivering
63 professional development programs to meet the needs of the
64 professional educators of their district. From legislative
65 appropriations to the center for professional development,
66 exclusive of such amounts required for the expenses of the
67 principals academy, the center shall, unless otherwise
68 directed by the Legislature, provide assistance in the delivery
69 of programs and activities to meet the expressed needs of the
70 school districts for professional development to help teachers,

71 principals and administrators demonstrate appropriate
72 performance based on the laws, policies and regulations
73 adopted for the public schools of West Virginia.

74 Specifically, the center shall in consultation with county
75 staff development councils provide routine education and
76 training for all educators, principals, administrators, and
77 those school personnel that have direct contact with students
78 on the authority and responsibilities of teachers and other
79 school personnel exercising authority over the school and
80 control over the students as set forth in section one, article
81 five of this chapter. In consultation with the county staff
82 development councils, the education and training provided by
83 the center may deliver programs on a statewide basis that are
84 common on these topics to all counties, and may provide
85 assistance to individual counties, as requested, in delivering
86 education and training on topics specific to the county. In
87 addition, in consultation with the county staff development
88 councils, the education and training may include information
89 on the authority and responsibilities of teachers and other
90 school personnel to promote the safety of state schools,

91 including but not limited to, harassment, intimidation and
92 bullying pursuant to article two-c, chapter eighteen of this
93 code; productive and safe schools pursuant to sections forty-
94 two and forty-three, article five, chapter eighteen of this
95 code; the prevention of child abuse, neglect and assault
96 pursuant to section fifteen-c, article five, chapter eighteen of
97 this code; the prevention, transmission and treatment of
98 AIDS pursuant to section fifteen-d, article five, chapter
99 eighteen of this code; school access safety plans pursuant to
100 article nine-f, chapter eighteen of this code; the bill of rights
101 and responsibilities for students and school personnel
102 pursuant to section one-c, article five of this chapter; and
103 policies of the state board related to providing a safe and
104 productive school environment. This education and training
105 may be provided by the center through in-service
106 professional development or other programs approved by the
107 state board and delivered on a statewide basis on topics that
108 are common to all counties and through assistance to
109 individual counties, as requested, on topics specific to the
110 county. Three clock hours of the staff development for

111 teachers and service personnel that are held on non
112 instructional days within the employment term shall be used
113 for the education and training on safety in the public schools
114 as set forth in this paragraph annually; and

115 ~~(6)~~ (7) Cooperate and coordinate with the institutions of
116 higher education to provide professional staff development
117 programs that satisfy some or all of the criteria necessary for
118 currently certified professional educators to meet the
119 requirements for an additional endorsement in an area of
120 certification and for certification to teach in the middle
121 school grades.

122 If the center is not able to reach agreement with the
123 representatives of the institutions providing teacher education
124 programs on which courses will be approved for credit
125 toward additional endorsements, the state board may certify
126 certain professional staff development courses to meet
127 criteria required by the state board. This certification shall be
128 done on a course by course basis.