

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2012



ENROLLED

COMMITTEE SUBSTITUTE

FOR

House Bill No. 4236

(By Mr. Speaker, Mr. Thompson, and Delegate Armstead)
[By Request of the Executive]



Passed March 10, 2012

To Take Effect Ninety Days From Passage

E N R O L L E D

COMMITTEE SUBSTITUTE

FOR

H. B. 4236

(BY MR. SPEAKER, MR. THOMPSON, AND DELEGATE ARMSTEAD)
[BY REQUEST OF THE EXECUTIVE]

[Passed March 10, 2012; to take effect ninety days from passage.]

AN ACT to amend and reenact §18A-2-12 of the code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §18A-3C-1, §18A-3C-2 and §18A-3C-3, all relating to establishing a new system of performance evaluations of classroom teachers, principals and assistant principals; exclusions from the definition of professional personnel for certain evaluation purposes; providing findings, purposes, definitions and intent of new provisions; providing for phased implementation and legislative oversight; requiring state board rules and submissions of draft rules to legislative oversight commission; providing minimum provisions of evaluation processes for teachers and principals and specific percentages of evaluation score to be based standards and student performance; providing for evaluations to serve certain purposes, including plans of improvement and personnel actions for unsatisfactory performance; requiring certain employee training prior to implementation of new evaluation processes; providing intent of new comprehensive system of support; requiring the state board to publish

guidelines for county boards on design and implementation of comprehensive system of support; restricting certain funding subject to adoption of comprehensive system plan by county that is verified by state board as meeting certain requirements; specifying contents of plan; and providing for transition of appropriations to support execution of plans and use of funds.

Be it enacted by the Legislature of West Virginia:

That §18A-2-12 of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that said code be amended by adding thereto a new article, designated §18A-3C-1, §18A-3C-2 and §18A-3C-3, all to read as follows:

ARTICLE 2. SCHOOL PERSONNEL.

§18A-2-12. Performance evaluations of school personnel; professional personnel evaluation process.

1 (a) The state board shall adopt a written system for the
2 evaluation of the employment performance of personnel,
3 which system shall be applied uniformly by county boards in
4 the evaluation of the employment performance of personnel
5 employed by the board.

6 (b) The system adopted by the state board for evaluating
7 the employment performance of professional personnel shall
8 be in accordance with the provisions of this section.

9 (c) For purposes of this section, "professional personnel",
10 "professional" or "professionals", means professional
11 personnel as defined in section one, article one of this chapter
12 but does not include classroom teachers, principals and
13 assistant principals subject to the evaluation processes
14 established pursuant to the provisions of section two, article
15 three-c of this chapter when the school at which these

16 professional personnel are employed is selected to participate
17 in those evaluation processes as part of the multi-step
18 implementation leading to full statewide implementation by
19 school year 2013-2014.

20 (d) In developing the professional personnel performance
21 evaluation system, and amendments thereto, the state board
22 shall consult with the Center for Professional Development
23 created in article three-a of this chapter. The center shall
24 participate actively with the state board in developing written
25 standards for evaluation which clearly specify satisfactory
26 performance and the criteria to be used to determine whether
27 the performance of each professional meets those standards.

28 (e) The performance evaluation system shall contain, but
29 not be limited to, the following information:

30 (1) The professional personnel positions to be evaluated,
31 whether they be teachers, substitute teachers, administrators,
32 principals or others;

33 (2) The frequency and duration of the evaluations, which
34 shall be on a regular basis and of such frequency and duration
35 as to insure the collection of a sufficient amount of data from
36 which reliable conclusions and findings may be drawn. For
37 school personnel with five or more years of experience who
38 have not received an unsatisfactory rating, evaluations shall
39 be conducted no more than once every three years unless the
40 principal determines an evaluation for a particular school
41 employee is needed more frequently. Until the school or
42 school system at which they are employed is subject to the
43 provisions of article three-c of this chapter, for classroom
44 teachers with five or more years of experience who have not
45 received an unsatisfactory rating, an evaluation shall be
46 conducted or professional growth and development plan
47 required only when the principal determines it is necessary

48 for a particular classroom teacher or when a classroom
49 teacher exercises the option of being evaluated at more
50 frequent intervals;

51 (3) The evaluation shall serve the following purposes:

52 (A) Serve as a basis for the improvement of the
53 performance of the personnel in their assigned duties;

54 (B) Provide an indicator of satisfactory performance for
55 individual professionals;

56 (C) Serve as documentation for a dismissal on the
57 grounds of unsatisfactory performance; and

58 (D) Serve as a basis for programs to increase the
59 professional growth and development of professional personnel;

60 (4) The standards for satisfactory performance for
61 professional personnel and the criteria to be used to
62 determine whether the performance of each professional
63 meets those standards and other criteria for evaluation for
64 each professional position evaluated. Professional personnel,
65 as appropriate, shall demonstrate competency in the
66 knowledge and implementation of the technology standards
67 adopted by the state board. If a professional fails to
68 demonstrate competency in the knowledge and
69 implementation of these standards, he or she will be subject
70 to an improvement plan to correct the deficiencies; and

71 (5) Provisions for a written improvement plan, which
72 shall be specific as to what improvements, if any, are needed
73 in the performance of the professional and shall clearly set
74 forth recommendations for improvements, including
75 recommendations for additional education and training during
76 the professional's recertification process.

77 (f) A professional whose performance is considered to be
78 unsatisfactory shall be given notice of deficiencies. A
79 remediation plan to correct deficiencies shall be developed by
80 the employing county board and the professional. The
81 professional shall be given a reasonable period of time for
82 remediation of the deficiencies and shall receive a statement
83 of the resources and assistance available for the purposes of
84 correcting the deficiencies.

85 (g) No person may evaluate professional personnel for
86 the purposes of this section unless the person has an
87 administrative certificate issued by the state superintendent
88 and has successfully completed education and training in
89 evaluation skills through the center for professional
90 development, or equivalent education training approved by
91 the state board, which will enable the person to make fair,
92 professional, and credible evaluations of the personnel whom
93 the person is responsible for evaluating. After July 1, 1994,
94 no person may be issued an administrative certificate or have
95 an administrative certificate renewed unless the state board
96 determines that the person has successfully completed
97 education and training in evaluation skills through the center
98 for professional development or equivalent education and
99 training approved by the state board.

100 (h) Any professional whose performance evaluation
101 includes a written improvement plan shall be given an
102 opportunity to improve his or her performance through the
103 implementation of the plan. If the next performance
104 evaluation shows that the professional is now performing
105 satisfactorily, no further action may be taken concerning the
106 original performance evaluation. If the evaluation shows that
107 the professional is still not performing satisfactorily, the
108 evaluator either shall make additional recommendations for
109 improvement or may recommend the dismissal of the

110 professional in accordance with the provisions of section
111 eight of this article.

112 (i) Lesson plans are intended to serve as a daily guide for
113 teachers and substitutes for the orderly presentation of the
114 curriculum. Lesson plans may not be used as a substitute for
115 observations by an administrator in the performance
116 evaluation process. A classroom teacher, as defined in
117 section one, article one of this chapter, may not be required
118 to post his or her lesson plans on the Internet or otherwise
119 make them available to students and parents or to include in
120 his or her lesson plans any of the following:

121 (1) Teach and reteach strategies;

122 (2) Write to learn activities;

123 (3) Cultural diversity;

124 (4) Color coding; or

125 (5) Any other similar items which are not required to
126 serve as a guide to the teacher or substitute for daily
127 instruction; and

128 (j) The Legislature finds that classroom teachers must be
129 free of unnecessary paper work so that they can focus their
130 time on instruction. Therefore, classroom teachers may not
131 be required to keep records or logs of routine contacts with
132 parents or guardians.

133 (k) Nothing in this section may be construed to prohibit
134 classroom teachers from voluntarily posting material on the
135 Internet. Nothing in article three-c of this chapter may be
136 construed to negate the provisions of subsections (i) and (j)
137 of this section.

ARTICLE 3C. IMPROVING TEACHING AND LEARNING.

§18A-3C-1. Findings; purposes and definition.

1 (a) The Legislature makes the following findings:

2 (1) Processes set forth in this article for evaluation,
3 teacher induction and professional growth is not intended to
4 make up for substandard initial preparation of teachers, but
5 instead is intended to build on a solid foundation created by
6 the teacher preparation programs. Therefore, the Legislature
7 expects the teacher preparation programs to graduate teachers
8 who can perform at a level that increases student
9 achievement. The Legislature expects that the processes set
10 forth in this article will allow a teacher to excel beyond that
11 level in the classroom;

12 (2) The comprehensive system of support provided for in
13 this article should be implemented in a way that, as compared
14 with the beginning teacher internship system, much more
15 effectively provides for the professional growth of teachers;

16 (3) In order for the comprehensive system of support to
17 much more effectively provide for professional growth for
18 teachers, funding should be greatly increased over and above
19 what has been provided for the beginning teacher internship
20 system; and

21 (4) Although the quality of the teacher in the classroom
22 is extremely important to the academic achievement of
23 students, students cannot learn if they are not in the
24 classroom. Therefore, attending school on a regular basis is
25 of utmost importance to the academic success of students.

26 (b) The purpose of this article is to create a
27 comprehensive infrastructure that routinely supports a

28 continuous process for improving teaching and learning. Its
29 focus is on developing strong teaching and school leadership,
30 without which effective learning does not occur. The general
31 components of this infrastructure include the following:

32 (1) High-quality teacher preparation, induction and
33 evaluation;

34 (2) Universal support for emerging teachers including
35 comprehensive new teacher induction and support for
36 student teachers, teachers teaching in assignments for which
37 they have less than a full professional credential and teacher
38 candidates pursuing certification through an alternative
39 route;

40 (3) Evaluation of the performance of teachers and leaders
41 in demonstrating high quality professional practice,
42 leadership and collaboration and the resulting growth in
43 student learning;

44 (4) Focused improvement in teaching and learning
45 through the use of evaluation data to inform the delivery of
46 professional development and additional supports to
47 improve teaching based on the evaluation results and to
48 inform the need for improvements in teacher preparation
49 programs; and

50 (5) The creation of a leadership culture that seeks and
51 builds powerful alliances among all stakeholders focused on
52 continuous growth in student learning.

53 (c) For purposes of this article “professional personnel”
54 includes classroom teachers, assistant principals and
55 principals as defined in section one, article one chapter
56 eighteen-a of this code.

§18A-3C-2. Performance evaluations of professional personnel.

1 (a) The intent of the Legislature is to allow for a
2 multi-step statewide implementation of performance
3 evaluations for professional personnel pursuant to this section
4 consistent with sound educational practices and resources
5 available resulting in full state-wide implementation by no
6 later than the school year 2013-2014. Beginning with the
7 schools included in the evaluation processes for professional
8 personnel piloted by the Department of Education during the
9 2011-2012 school year, additional schools or school systems
10 shall be subject to the provisions of this article in accordance
11 with a plan established by the state board to achieve full
12 statewide implementation by no later than the school year
13 2013-2014. For schools and school systems subject to the
14 provisions of this article, the provisions of this article shall
15 govern when they are in conflict with other provisions of this
16 chapter and chapter eighteen of this code. Specifically, the
17 provisions of this article govern for the performance
18 evaluation of classroom teachers, principals and assistant
19 principals employed in these schools and school systems. To
20 the extent that this article conflicts with the provisions of
21 section twelve, article two of this chapter relating to
22 professional personnel performance evaluations, this article
23 shall govern. The state board shall submit a report on its plan
24 for the phased implementation of this article to the
25 Legislative Oversight Commission on Education
26 Accountability at the Commission's July interim meeting in
27 each year of the phased implementation. The report shall
28 include an update on the implementation of this article
29 including, but not limited to the evaluation process and a list
30 of the schools and school systems subject to the provisions of
31 this article. To assist the Legislative Oversight Commission
32 on Education Accountability in monitoring the
33 implementation of this article, the state board shall report to
34 the Commission upon its request throughout the

35 implementation process, including but not limited to, reports
36 on the results of surveys of teachers and principals on the
37 implementation and use of the new evaluation system, the
38 adequacy of the professional development given to
39 employees on the purposes, instruments and procedures of
40 the evaluation process, the time consumed by the evaluation
41 process and the various tasks required for employees of
42 different levels of experience, the aggregate results of the
43 evaluations and any recommendations for changes in the
44 process or other aspects of the duties of affected employees
45 to improve the focus on the core mission of schools of
46 teaching and learning.

47 (b) Before July 1, 2013, the state board shall adopt a
48 legislative rule in accordance with article three-b, chapter
49 twenty-nine-a of this code, for evaluating the performance of
50 each professional person each year. The state board shall
51 submit a draft of the proposed rule to the Legislative
52 Oversight Commission on Education Accountability by
53 February 15, 2013, and a final draft proposed rule prior to
54 adoption. The rule shall provide for performance evaluations
55 of professional personnel to be conducted in accordance with
56 this section in each school and school system beginning with
57 the 2013-14 school year.

58 (c) (1) The process adopted by the state board for
59 evaluating the performance of classroom teachers shall
60 incorporate at least the following:

61 (A) Alignment with the West Virginia professional
62 teaching standards adopted by the state board that establish
63 the foundation for educator preparation, teacher assessment
64 and professional development throughout the state;

65 (B) Employment of the professional teaching standards to
66 provide explicit and extensive measures of the work of

67 teaching and what teachers must know and be able to do and
68 provide evaluative measures of educator performance;

69 (C) The use of two pieces of evidence at two points in
70 time over the instructional term to demonstrate student
71 learning as an indicator of educator performance; and

72 (D) The use of school's school-wide student learning
73 growth as measured by the state-wide summative assessment
74 as an evaluative measure of all educators employed in the
75 school.

76 (2) Eighty percent of the evaluation shall be based on an
77 appraisal of the educator's ability to perform the critical
78 standard elements of the professional teaching standards.
79 The appraisal shall include conferences with the evaluator
80 reinforced through observation. Fifteen percent of the
81 evaluation shall be based on evidence of the learning of the
82 students assigned to the educator in accordance with
83 paragraph (C), subdivision (1) of this subsection, and five
84 percent of the evaluation shall be based on student learning
85 growth measured by the school-wide score on the state
86 summative assessment in accordance with paragraph (D),
87 subdivision (1) of this subsection.

88 (d) (1) The process adopted by the state board for
89 evaluating the performance of principals and assistant
90 principals shall include at least the following:

91 (A) Alignment with the West Virginia professional
92 leadership standards adopted by the state board establishing
93 the responsibility of principals for the collective success of
94 their school including the learning, growth and achievement
95 of students, staff and self;

96 (B) Employment of the professional leadership standards
97 to provide explicit and extensive measures of the work of
98 school leadership focused on the continuous improvement of
99 teaching and learning. The process shall include conferences
100 and goal setting with the superintendent or his or her
101 designee and the use of a survey of stakeholders to assist in
102 identifying the needs and establishing the goals for the school
103 and the principal. The survey shall be distributed to at least
104 the following stakeholders: Students, parents, teachers and
105 service personnel. The evaluative measures shall include the
106 use of data, evidence and artifacts to confirm the principal's
107 performance on achieving the goals established by the
108 principal and superintendent;

109 (C) The use of two pieces of evidence at two points in
110 time over the instructional term to demonstrate the growth in
111 student learning at the school; and

112 (D) The use of the school's school-wide student learning
113 growth as measured by the state-wide summative assessment
114 as an evaluative measure of all educators employed in the
115 school.

116 (2) Eighty percent of the evaluation shall be based on an
117 appraisal of the principal's or the assistant principal's ability
118 to perform the critical standard elements of the professional
119 leadership standards and achieve the goals established for the
120 principal and the school. Fifteen percent of the evaluation
121 shall be based on evidence of the learning of the students
122 assigned to the school in accordance with paragraph (C),
123 subdivision (1) of this subsection, and five percent of the
124 evaluation shall be based on student learning growth
125 measured by the school-wide score on the state summative
126 assessment in accordance with paragraph (D), subdivision (1)
127 of this subsection.

128 (e) Evaluations of the performance of professional
129 personnel shall serve the following purposes:

130 (1) Serve as a basis for the improvement of the
131 performance of the professional personnel in their assigned
132 duties;

133 (2) Serve as the basis for providing professional
134 development specifically targeted on the area or areas
135 identified through the evaluation process as needing
136 improvement. If possible, this targeted professional
137 development should be delivered at the school-site using
138 collaborative processes, mentoring or coaching or other
139 approaches that maximize use of the instructional setting;

140 (3) Serve as the basis for establishing priorities for the
141 provision of county-level professional development when
142 aggregate evaluation data from the county's schools indicates
143 an area or areas of needed improvement;

144 (4) Serve as a basis for informing the teacher preparation
145 programs in this state of an area or areas of needed
146 improvement in the programs, or informing a specific
147 program of needed improvement, when state-level aggregate
148 evaluation data indicates that beginning teachers who have
149 graduated from the program have specific weaknesses;

150 (5) Provide an indicator of level of performance of the
151 professional personnel;

152 (6) Serve as a basis for programs to increase the
153 professional growth and development of professional
154 personnel; and

155 (7) Serve as documentation for a dismissal on the grounds
156 of unsatisfactory performance.

157 (f) The rule adopted by the state board shall include
158 standards for performance of professional personnel and the
159 criteria to be used to determine whether their performance
160 meets the standards. The rule also shall include guidance on
161 best practices for providing time within the school day for
162 teachers subject to performance evaluations under this section
163 to participate in the collaborative mentoring or coaching and
164 planning processes necessary for execution of the
165 performance evaluation process and achieving advanced
166 levels of performance.

167 (g) The rule adopted by the state board shall include
168 provisions for written improvement plans when necessary to
169 improve the performance of the professional personnel. The
170 written improvement plan shall be specific as to what
171 improvements are needed in the performance of the
172 professional personnel and shall clearly set forth
173 recommendations for improvements including
174 recommendations for additional education and training of
175 professionals subject to recertification. Professional
176 personnel whose performance evaluation includes a written
177 improvement plan shall be given an opportunity to improve
178 his or her performance through the implementation of the
179 plan.

180 (h) A professional person whose performance is
181 considered to be unsatisfactory shall be given written notice
182 of his or her deficiencies. A written improvement plan to
183 correct these deficiencies shall be developed by the
184 employing county board and the employee. The professional
185 person shall be given a reasonable period of time, not
186 exceeding twelve months, to accomplish the requirements of
187 the improvement plan and shall receive a written statement of
188 the resources and assistance available for the purposes of
189 correcting the deficiencies. If the next performance
190 evaluation shows that the professional is now performing

191 satisfactorily, no further action may be taken concerning the
192 original performance evaluation. If the evaluation shows that
193 the professional is still not performing satisfactorily, the
194 evaluator either shall make additional written
195 recommendations for improvement or may recommend the
196 dismissal of the professional personnel in accordance with the
197 provisions of section eight, article two of this chapter.

198 (i) No person may evaluate professional personnel for the
199 purposes of this section unless the person has an
200 administrative certificate issued by the state superintendent
201 and has successfully completed education and training in
202 evaluation skills through the center for professional
203 development, or equivalent education training approved by
204 the state board, which will enable the person to make fair,
205 professional, and credible evaluations of the personnel whom
206 the person is responsible for evaluating.

207 (j) Prior to implementation of the evaluation process
208 pursuant to this section at a school, each affected employee
209 shall be given training to ensure that the employees have a
210 full understanding of the purposes, instruments and
211 procedures used in evaluating their performance. Thereafter,
212 this training shall be held annually at the beginning of the
213 employment term.

**§18A-3C-3. Comprehensive system for teacher induction and
professional growth.**

1 (a) The intent of the Legislature is to allow for a multistep
2 statewide implementation of a comprehensive system of
3 support for building professional practice of beginning
4 teachers, specifically those on the initial and intermediate
5 progressions, consistent with sound educational practices and
6 resources available. In this regard, it is the intent of the
7 Legislature that the transition of schools and school systems

8 to a comprehensive system of support that includes support
9 for improved professional performance targeted on
10 deficiencies identified through the evaluation process will be
11 implemented concurrent with the first year that a school or
12 system receives final evaluation results from the performance
13 evaluation process pursuant to section two of this article.
14 Further, because of significant variability among the counties,
15 not only in the size of their teaching force, distribution of
16 facilities and available resources, but also because of their
17 varying needs, the Legislature intends for the implementation
18 of this section to be accomplished in a manner that provides
19 adequate flexibility to the counties to design and implement
20 a comprehensive system of support for improving
21 professional performance that best achieves the goals of this
22 section within the county. Finally, because of the critical
23 importance of ensuring that all teachers perform at the
24 accomplished level or higher in the delivery of instruction
25 that at least meets the West Virginia professional teaching
26 standards and because achieving this objective at a minimum
27 entails providing assistance to address the needs as indicated
28 by the data informed results of annual performance
29 evaluations, including the self-assessed needs of the teachers
30 themselves, the Legislature expects the highest priority for
31 county, regional and state professional development will be
32 on meeting these needs and that the transition to a
33 comprehensive system of support for improving professional
34 practice will reflect substantial redirection of existing
35 professional development resources toward this highest
36 priority.

37 (b) On or before July 1, 2012, the state board shall
38 publish guidelines on the design and implementation of a
39 comprehensive system of support for improving professional
40 practice. The purpose of the guidelines is to assist the county
41 board with the design and implementation of a system that
42 best achieves the goals of this section within the county. The

43 guidelines may include examples of best practices and
44 resources available to county boards to assist them with the
45 design and implementation of a comprehensive system.

46 (c) For schools and school systems subject to the
47 provisions of this article, the provisions of this article govern
48 when they are in conflict with section two-b, article three of
49 this chapter relating to beginning teacher internships, or in
50 conflict with other provisions of this chapter and chapter
51 eighteen of this code.

52 (d) Effective for the school year beginning July 1, 2013,
53 and thereafter, a county board is not eligible to receive state
54 funding appropriated for the purposes of this section or any
55 other provision of law related to beginning teacher
56 internships and mentor teachers unless it has adopted a plan
57 for implementation of a comprehensive system of support for
58 improving professional practice, the plan has been verified by
59 the state board as meeting the requirements of this section
60 and the county is implementing the plan. The plan shall
61 address the following:

62 (1) The manner in which the county will provide the
63 strong school-based support and supervision that will assist
64 beginning teachers in developing instructional and
65 management strategies, procedural and policy expertise, and
66 other professional practices they need to be successful in the
67 classroom and perform at the accomplished level. Nothing in
68 this subdivision prohibits a school or school system that was
69 granted an exception or waiver from section two-c, article
70 three of this chapter prior to the effective date of this section
71 from continuing implementation of the program in
72 accordance with the exception or waiver;

73 (2) The manner in which the county in cooperation with
74 the teacher preparation programs in this state will provide

75 strong school-based support and assistance necessary to make
76 student teaching a productive learning experience;

77 (3) The manner in which the county will use the data
78 from the educator performance evaluation system to serve as
79 the basis for providing professional development specifically
80 targeted on the area or areas identified through the evaluation
81 process as needing improvement. If possible, this targeted
82 professional development should be delivered at the
83 school-site using collaborative processes, mentoring or
84 coaching or other approaches that maximize use of the
85 instructional setting;

86 (4) The manner in which the county will use the data
87 from the educator performance evaluation system to serve as
88 the basis for establishing priorities for the provision of
89 county-level professional development when aggregate
90 evaluation data from the county's schools indicates an area or
91 areas of needed improvement;

92 (5) If a county uses master teachers, mentors, academic
93 coaches or any other approaches using individual employees
94 to provide support, supervision or other professional
95 development or training to other employees for the purpose
96 of improving their professional practice, the manner in which
97 the county will select each of these individual employees
98 based on demonstrated superior performance and competence
99 as well as the manner in which the county will coordinate
100 support for these employees: *Provided*, That the employment
101 of persons for these positions shall adhere to the posting and
102 other provisions of section seven-a, article four of this
103 chapter utilizing subsection (c) of said section seven-a to
104 judge the qualifications of the applicants. If the duties of the
105 position are to provide mentoring to an individual teacher at
106 only one school, then priority shall being given to applicants

107 employed at the school at which those duties will be
108 performed;

109 (6) The manner in which the county will use local
110 resources available including, but not limited to, funds for
111 professional development and academic coaches, to focus on
112 the priority professional development goals of this section;

113 (7) The manner in which the county will adjust its
114 scheduling, use of substitutes, collaborative planning time,
115 calendar or other measures as may be necessary to provide
116 sufficient time for professional personnel to accomplish the
117 goals of this section as set forth in the county's plan; and

118 (8) The manner in which the county will monitor and
119 evaluate the effectiveness of implementation and outcomes of the
120 county system of support for improving professional practice.

121 (e) Effective the school year beginning July 1, 2013, and
122 thereafter, appropriations for beginning teacher mentors and
123 any new appropriation which may be made for the purposes
124 of this section shall be expended by county boards only to
125 accomplish the activities as set forth in their county plan
126 pursuant to this section. Effective the school year beginning
127 July 1, 2013, and thereafter, no specific level of
128 compensation is guaranteed for any employee service or
129 employment as a mentor and such service or employment is
130 not subject to the provisions of this code governing extra duty
131 contracts except as provided in subdivision (5), subsection (c)
132 of this section.

133 (f) The Legislative Oversight Commission on Education
134 Accountability shall review the progress of the
135 implementation of this article and may make any
136 recommendations it considers necessary to the Legislature
137 during the 2013 regular legislative session.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

To take effect ninety days from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within _____ this the _____
day of _____, 2012.

Governor