

1 **H. B. 3158**

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3 (By Delegates M. Poling, Stowers, Perry, Williams, Campbell,  
4 Pethtel, Walker, Lawrence, Pasdon, Sumner and Rowan)

5 [Originating in the Committee on Education.]

6 (March 22, 2013)

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10 A BILL to amend the code of West Virginia, 1931, as amended, by  
11 adding thereto a new section, designated §29A-3B-13,  
12 relating to legislative oversight of education system  
13 performance and progress; creating duty of legislative  
14 oversight commission on education accountability to examine  
15 certain results; providing purposes; and requiring annual  
16 report.

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

18 That the code of West Virginia, 1931, as amended, be amended  
19 by adding thereto a new section, designated §29A-3B-13, to read  
20 as follows:

21 **ARTICLE 3B. STATE BOARD OF EDUCATION RULE MAKING.**

22 **§29A-3B-13. Monitoring performance and progress of West**  
23 **Virginia's primary and secondary education system.**

24 (a) In addition to other powers and duties assigned in this  
25 article and section eleven, article three-a of this chapter, the

1 Legislative Oversight Commission on Education Accountability  
2 shall annually examine the following:

3 (1) The results of efforts to better connect education and  
4 the workforce as determined by employer satisfaction on various  
5 measures of the education system including, but not limited to,  
6 the following:

7 (A) The knowledge and skills of recent graduates at various  
8 levels such as general high school, secondary career and  
9 technical education, post secondary career and technical  
10 education, occupational certificate programs and two-year  
11 associate degree programs; and

12 (B) Programs to assist with the specialized training for  
13 prospective and current employees;

14 (2) The results of efforts to enhance career and technical  
15 education including, but not limited to, efforts to promote  
16 career exploration in the middle school grades and cross-  
17 counseling with post-secondary technical programs, increased  
18 career and technical program participation in secondary schools  
19 and career and technical centers and the establishment of program  
20 offerings that are linked seamlessly to technical certificate and  
21 technical degree programs that are responsive to workforce needs;

22 (3) The results of efforts to enhance the flexibility and  
23 authority of local school systems and schools to meet the state's  
24 educational objectives for student achievement through local  
25 level policy, planning and practices that are the most

1 appropriate for their students, families, employers and community  
2 given the characteristics of their districts;

3 (4) The results of efforts to improve the operational  
4 efficiency of West Virginia's public elementary and secondary  
5 school system;

6 (5) The performance and progress of students on the state  
7 summative assessment, other state mandated assessments and the  
8 National Assessment of Educational Progress, including ten-year  
9 trend data, and the amount of instructional time consumed by  
10 state mandated assessments;

11 (6) In the case of a county in which the state board has  
12 intervened in the operation of the county, replaced the  
13 superintendent and limited the authority of the county board for  
14 a five-year period, the state board shall report to the  
15 Legislative Oversight Commission on Education Accountability the  
16 board's plan for exiting the county and returning control to the  
17 county board. The plan shall include a projected time-line and  
18 shall be updated annually and reported each year until full  
19 control is returned to the county board; and

20 (7) The results of efforts to establish a comprehensive  
21 career development system for professional educators that  
22 includes, but is not limited to:

23 (A) Encouraging and supporting an interest in the teaching  
24 profession among middle and high school students and increasing  
25 their preparation for success in college;

1           (B) Increasing the academic and professional practice  
2 preparation of graduates from colleges of teacher education;

3           (C) Improving the efficiency and focus of professional  
4 development including, but not limited to:

5           (i) A comprehensive system of support for improving the  
6 professional practice of new and emerging teachers and principals  
7 as provided in section three, article three-c, chapter eighteen-a  
8 of this code, including, but not limited to, the methods used for  
9 providing support to address needs identified through the annual  
10 evaluation of professional personnel and the timeliness of the  
11 support and the methods used for new teacher induction and  
12 mentoring;

13           (ii) An efficient and least time consuming method for  
14 providing routine information and annually required professional  
15 development to professional personnel to meet requirements of  
16 statute and policy; and

17           (iii) An efficient system for uniform, effective  
18 professional development necessary to implement state  
19 initiatives, including changes in standards, assessments,  
20 instructional strategies and other major policies affecting  
21 teachers and building level administrators;

22           (D) Establishing a progression of required continuing  
23 education for periodic certificate renewal;

24           (E) Aligning course work and professional development  
25 allowed for salary progression with the knowledge and skills

1 directly related to the profession of teaching in the public  
2 schools; and

3 (F) Establishing a pathway for master teachers to progress  
4 in teacher leadership positions without leaving the classroom  
5 completely.

6 (b) The purposes of this section are to maintain a  
7 consistent focus on major policy objectives and a method of  
8 accountability for improving performance and progress. The  
9 Legislative Oversight Commission on Education Accountability  
10 shall report annually to the Joint Standing Committee on  
11 Education and the Joint Committee on Government and Finance on  
12 its findings, along with any recommendations it considers  
13 necessary.

Note: This bill requires the Legislative Oversight Commission on Education Accountability to examine and report annually on the results of efforts to address six areas related to the Efficiency Audit and general progress on improving public education. The six areas are: (1) Better connecting education and the workforce; (2) Enhancing career and technical education; (3) Enhancing the flexibility and authority of local school systems and schools to meet the state's educational objectives for student achievement; (4) Improve the operational efficiency of West Virginia's public elementary and secondary school system; (5) Performance and progress of students on the state summative assessment, other state mandated assessments and the National Assessment of Educational Progress; (6) Requiring the state board to report to LOCEA its exit plan from any county that has been under state take-over for five years; and (7) Establishing a comprehensive career development system for professional educators.

This section is new and, therefore, is completely underscored.