1	Committee Substitute
2	for
3	н. в. 4336
4 5 6	(By Delegates Marcum, White, M. Poling, Ferro, Pethtel, Perry, Moore, Reynolds, Caputo, Pino and Barrett)
7	[Originating in the Committee on Education.]
8	(February 4, 2014)
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L1	A BILL to amend the Code of West Virginia, 1931, as amended, by
L2	adding thereto a new section, designated $\$18-2-40$, relating to
L3	state control of county schools and school systems; limiting
L 4	duration of state board intervention in operation of schools
L 5	and school systems; requiring certain actions, oversight and
L 6	support during periods of intervention; recommendations for
L 7	return of control; and limiting subsequent intervention for
L 8	certain period; providing exception if public hearing held;
L 9	and requiring certain continued support.
20	Be it enacted by the Legislature of West Virginia:
21	That the Code of West Virginia, 1931, as amended, be amended
22	by adding thereto a new section, designated §18-2-40, to read as
23	follows:
24	ARTICLE 2. STATE BOARD OF EDUCATION.

25 §18-2-40. State control of county boards of education; improvement

by state board; time tables; public hearing.

- 2 (a) The state board may not pursuant to section five, article
- 3 two-e of this chapter, intervene in the operation of a county
- 4 school system or directly in the operation of a school for a period
- 5 of more than five consecutive years. At the end of the five-year
- 6 period, the state board shall relinquish control of the school
- 7 system or school to the county board.
- 8 (b) During an intervention in the operation of a county school
- 9 system or school, the state school board shall require the county
- 10 board to be actively involved in the intervention and improvement
- 11 process to assure sustained success of any deficient school system
- 12 or school and to build governance capacity. At a minimum, the
- 13 county board shall be required to work in tandem with the county
- 14 superintendent to gather, analyze and interpret data, write time-
- 15 specific goals to correct deficiencies, prepare and implement
- 16 action plans and allocate or request from the state board of
- 17 education the resources, including board development training and
- 18 coaching, necessary to achieve and sustain approved goals subject
- 19 to the following:
- 20 (1) The goals and action plans shall be approved by the state
- 21 board;
- 22 (2) The state superintendent shall maintain oversight and
- 23 provide assistance and feedback to the county board;
- 24 (3) The county board shall attend governance education and
- 25 development activities identified and coordinated by the West

- 1 Virginia School Board Association based on the state board approved
- 2 effectiveness standards;
- 3 (4) The West Virginia School Board Association shall complete
- 4 a board training needs analysis and seek approval for the board
- 5 development activities through the Training Standards Review
- 6 Committee of the state board;
- 7 (5) Support for governance education and development
- 8 activities for the county board and school improvement, leadership
- 9 and student performance activities for schools shall be made
- 10 available through the state superintendent, regional education
- 11 service agencies, Center for Professional Development, West
- 12 Virginia School Board Association, Office of Education Performance
- 13 Audits and West Virginia Education Information System; and
- 14 (6) Readiness of the county board of education to accept and
- 15 sustain the return of control of the system or school from the
- 16 state board shall be recommended to the state board by the state
- 17 superintendent in consultation with and upon the recommendation of
- 18 the West Virginia School Board Association and the Office of
- 19 Education Performance Audits supported by documented evidence that
- 20 the county has met the goals and objectives for compliance.
- 21 (c) Once control of the school system or school has been
- 22 returned to the county board, the state board may not intervene
- 23 again for a minimum of three years unless the state board holds a
- 24 public hearing in the affected county in compliance with the open
- 25 governmental procedures act in article nine-a, chapter six of this

- 1 code so that the concerns of the citizens of that county may be
- 2 heard. The full membership of the county board shall be requested
- 3 to attend the public hearing. Support for governance education and
- 4 <u>development shall continue during this three-year period as needed</u>
- 5 for any new members elected to the county board.

This section is new; therefore, it has been completely underscored.