

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 4301**

BY DELEGATES ESPINOSA, WESTFALL, AMBLER, COOPER,

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UPSON AND HOUSEHOLDER

[Introduced January 27, 2016; Referred  
to the Committee on Education then Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §18-2-36, relating to a framework for initiating comprehensive transformation  
 3 of school leadership; making legislative findings that provide a context for leadership that  
 4 promotes instructional improvement; stating purpose of section as framework for  
 5 development of needed statutory and policy changes; stating further purpose to initiate  
 6 transformation through general statement of legislative intent; providing certain  
 7 expectations; stating intent for process of broad stakeholder input; requiring convening of  
 8 stakeholders to assist state board; listing minimum issues to be considered for state  
 9 recommendations; and requiring reports and recommendations to Legislature and  
 10 Governor.

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

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
 2 section, designated §18-2-36, to read as follows:

**ARTICLE 2. STATE BOARD OF EDUCATION.**

**§18-2-36. Framework for initiating comprehensive transformation of school leadership.**

1 (a) Legislative findings.--

2 (1) The report and recommendations of Imagine West Virginia on Transforming School  
 3 Leadership in West Virginia are clearly on point that school leadership and the essential role of  
 4 the principal in achieving a high performing school are well documented, long studied and too  
 5 often set aside. The report and recommendations also clearly recognize the value of providing  
 6 teachers with authentic opportunities and resources to lead, influence professional practice, and  
 7 assume shared responsibility for school and classroom improvement. The recommendations  
 8 related to school leadership, the role, preparation and selection of the principal and a career  
 9 ladder for teacher leaders once again bring the importance of strong school-level instructional  
 10 leadership, including mechanisms for career advancement for teachers in leadership roles, to the  
 11 forefront of discussions on school improvement. The state board posted the report

12 recommendations for comment with the intent of providing a starting point for deeper deliberation  
13 and stakeholder input.

14 (2) Among the general conclusions of the Education Efficiency Audit of West Virginia's  
15 Primary and Secondary Education System is the need to drive more educational decision-making  
16 down to the level closest to the students, to the classroom and building level, allowing principals  
17 to lead and teachers to deliver the most effective curriculum for their students, and then holding  
18 them accountable for student success. Such a system heightens the imperative for strong school  
19 leadership. The school climate and culture observed in high quality schools reflects strong  
20 leadership that develops shared beliefs and values among the staff, high expectations for all, and  
21 a safe, orderly and engaging environment. A key concept in developing good school leadership  
22 and then holding schools accountable for student performance is that they have the authority,  
23 resources and flexibility to affect the outcome.

24 (3) An increasing body of knowledge concludes that unless teachers are collectively  
25 involved in the planning and implementation of school improvement, it is unlikely to be sustained.  
26 Successful schools are distinguishable from unsuccessful ones by the frequency and extent to  
27 which teachers discuss professional practices, collectively design materials and inform and  
28 critique one another. Even successful schools must be self-renewing systems, learning  
29 organizations marked by deliberate effort to identify helpful knowledge and spread its use within  
30 the organization. Again, leadership by the principal combined with authentic roles for teacher  
31 leaders are necessary ingredients.

32 (4) The school responsibilities for accreditation adopted by the state board to implement  
33 West Virginia's performance based accreditation system embodied in section five, article two-e  
34 of this chapter, the Process for Improving Education, include a collective and collaborative  
35 process for continuous school improvement led by the principal. The process includes data  
36 analysis, goal setting, strategic planning, progress review and results analysis. It includes  
37 identifying what and where improvement is needed, establishing goals and a strategic plan for

38 improved student learning, defining the roles and responsibilities of all team members, securing  
39 the professional development needed to achieve the goals, and sharing the responsibility and  
40 rewards for the results. The principal must foster and develop distributed leadership in order to  
41 focus collective action for improved school performance. The school's faculty and members of  
42 the Local School Improvement Council must participate effectively in the self-assessment and  
43 annual and cyclical reviews of school performance to effect a process of continuous improvement.

44 (5) The prior studies and Imagine WV report in which they are cited recognize that the job  
45 of principal has become overwhelming. The report focuses on instructional leadership as the  
46 most important role of the principal, but notes that it has become a less prominent function in the  
47 overall job of being a principal. The diminished time devoted to instructional leadership has been  
48 a gradual crowding out by other necessary functions, rather than a conscience choice. Just as  
49 important for high performing schools is the strong leadership role necessary for operations  
50 management, establishing the climate and culture of the school as a learning environment, and  
51 instructional leadership. All require strong leadership skills, but in a different context. They  
52 require different skill sets, all of which are needed to lead high quality schools. The reality,  
53 however, is that these many responsibilities inherent in the operation of high quality schools  
54 compete for time and it is difficult for principals to do them all well. Various scenarios have been  
55 discussed for enabling a heightened focus on instructional leadership, including the introduction  
56 of school manager positions or the broader use of assistant principals in all schools to allow  
57 greater principal attention to instructional improvement. A further scenario builds upon the  
58 research that high quality schools are distinguishable by the collective and collaborative  
59 involvement of teachers in sustained school improvement. It brings a heightened focus on  
60 instructional leadership to assist, and under direction of, the principal by providing authentic  
61 opportunities for teacher leaders to participate and assume greater responsibility. This scenario  
62 involves various approaches to reward excellent teaching, to provide the time necessary for  
63 excellent teachers to lead instructional improvement, and to enable excellent teachers to advance

64 in their teaching careers and levels of compensation through instructional leadership positions  
65 without leaving the classroom completely.

66 (6) Emerging research and policy direction toward distributed leadership and shared  
67 responsibility for results as cited in these findings, elevate the focus for all teachers on  
68 instructional improvement, and particularly for excellent teachers to assume instructional  
69 leadership roles. In most schools today, excellent teachers rarely have authority, time, or  
70 sustained incentives to lead while teaching. Developing models for supporting new teacher  
71 induction, for professional development and mentoring for struggling teachers, and for teacher  
72 collaboration on instructional improvement all involve a role for teacher leaders. As professional  
73 educators, teachers should have an established structure through which they can advance their  
74 careers as experienced instructional leaders without leaving classroom teaching completely. Like  
75 other professionals, teachers should be afforded an opportunity to take on more responsibility,  
76 share their expertise with other less experienced teachers and advance their teaching career as  
77 teacher leaders. Like other professions, teaching should provide for a routine progression of  
78 continuing education for license maintenance and opportunities for salary advancement as  
79 additional knowledge, skill and expertise are acquired that directly affect student learning.  
80 Examples of leadership roles that may be performed by teachers include serving on the school  
81 leadership team, leading collective and collaborative processes for strategic improvement  
82 planning, leading teacher collaboration processes within the school day, leading the faculty  
83 senate, serving on the local school improvement council, supervising student teachers, serving  
84 as mentors and models for new and struggling teachers and teachers-in-residence, and helping  
85 arrange school level professional development. Ideally, in an opportunity culture for teachers,  
86 career paths and teacher pay will recognize and reward the value of excellent teaching and  
87 teacher leadership roles for extending excellent teaching to all students consistently.

88 (7) Education is a human resources intensive endeavor. It competes for talented  
89 professionals with other occupations with higher levels of compensation, particularly in the STEM

90 fields. While opportunities for career advancement and added compensation for teachers under  
91 career ladder type arrangements may improve the attractiveness of the profession for excellent  
92 teachers, it will not replace the need for general salary increases. In West Virginia and nationally,  
93 the enrollments in college and university teacher preparation programs are declining. For West  
94 Virginia particularly, the need to recruit and retain excellent teachers is exacerbated by the  
95 increasing numbers of retirements of a very senior teaching force. Increasingly important will be  
96 a variety of methods for encouraging and supporting an interest in the teaching profession,  
97 preparing the next generation of educators, actively recruiting top talent graduating from teacher  
98 preparation programs and supporting their development through the first years of their careers.  
99 In the human resources intensive business of education, human resource development should  
100 not be left to chance.

101 *(b) Legislative purpose, intent, process for stakeholder input; items for recommendation.--*

102 (1) The purpose of this section is to provide a framework for development of the statutory  
103 and policy changes needed to support and sustain a comprehensive transformation of school  
104 leadership. A further purpose of this section is to initiate the comprehensive transformation of  
105 school leadership through a general statement of legislative intent to pursue this change in public  
106 policy and, thereby, provide assurances and parameters under which the work toward this change  
107 may proceed. It is expected that the transformation will affect both the public education system  
108 and the educator preparation programs at institutions of higher education to develop, prepare and  
109 credential teacher, principal and administrative leaders to accomplish a systemic change in school  
110 leadership. It is expected that the transformation will involve multiple, and in some cases  
111 sequential, steps that may require a period of years to accomplish to ensure that the necessary  
112 supports are in place to enable school leaders to meet the expectations of new roles and  
113 responsibilities and to finance the necessary improvements.

114 (2) It is further expected that the transformation will involve roles and responsibilities for  
115 leadership that may not match the certification and training of all of those currently in leadership

116 positions. Therefore, the options for implementation will need to take the existing legacy into  
117 account to minimize cost and system disruption while bringing new models of leadership for  
118 instructional improvement to every school expeditiously. Finally, it is expected that district size  
119 and resources, school size and programmatic level, existing leadership positions, and differences  
120 in school performance may all be factors that will affect the transformation of school leadership  
121 within the various school systems and they should be afforded ample local flexibility for  
122 establishing priorities and implementation within their schools.

123 (3) The findings set forth in subsection (a) of this section provide a context for considering  
124 a leadership framework that promotes instructional improvement and for determining the statutory  
125 and policy changes needed to enable it. It is the intent of the Legislature to begin this  
126 transformation through a process of broad stakeholder input to consider and make  
127 recommendations to accomplish this task. Therefore, the state board shall convene the relevant  
128 stakeholders, including, but not limited to, principals, teachers, superintendents, county board  
129 members, educator preparation program personnel, legislators or their designees and a  
130 Governor's designee to assist the state board in developing state board policies, practices and  
131 recommended statutory changes consistent with the findings of this section. Among the issues  
132 the state board shall consider are:

133 (A) Issues relating to principal leadership that include, but are not limited to, the following:

134 (i) A clear definition of the role and responsibilities of principals and assistant principals in  
135 statute and policy that include leadership for instructional improvement;

136 (ii) The role and responsibilities of the principal as the legally responsible party in charge  
137 of the school with the added need for authority and flexibility to delegate responsibilities to  
138 accomplish a distributed leadership model for instructional improvement;

139 (iii) Leadership standards that include the essential role of the principal for leadership in  
140 developing a culture of collegiality and professionalism among the staff so that improving student  
141 learning is a shared responsibility;

142 (iv) The scope of topics to be covered in the preparation programs and certifications for  
143 principals and assistant principals;

144 (v) A process of preparing new principals that may include clinical experiences and  
145 mentoring through a partnership between higher education and county boards. It may include a  
146 commitment of county board resources to assist in the training, as well as a commitment from the  
147 candidate to stay in the system for some period of time;

148 (vi) The additional school-level tools needed to give good principals the flexibility and  
149 authority necessary for success, including additional independent, school-level authority needed  
150 to adequately fulfill the responsibilities;

151 (vii) A method of implementation under which the capacity of the principal for leading is a  
152 condition precedent to implementation of methods for distributed leadership;

153 (viii) Limitations on the employment of new principals to those candidates prepared and  
154 credentialed under the new standards, or some comparable standards approved by the state  
155 board, and limitations on the applicability of Master's degrees in education administration for  
156 advanced salary classification if earned after a certain date following state board approval of a  
157 new preparation program; and

158 (ix) Differentiation and improvements in the salary schedules and increments for principals  
159 subject to the newly defined roles and responsibilities for school leadership;

160 (B) Issues relating to teacher leadership that include, but are not limited to, the following:

161 (i) Various approaches that reward excellent teaching, provide authentic opportunities for  
162 excellent teachers to influence professional practice and enable excellent teachers to advance in  
163 their teaching careers and compensation without leaving the classroom completely including, but  
164 are not limited to, incentive increments, career lattice steps and career ladder positions;

165 (ii) Incentive increments in the salary scale for advanced degrees, approved course work  
166 or advanced certification in the teacher's area of certification and for excellent teaching;

167 (iii) Career lattice steps that provide extra pay and/or extra time for teachers for specific



168 types of assignments made by the principal or, in some cases, by the faculty senate for  
169 instructional and school improvement work. These types of steps may not be permanent and  
170 may change or involve different teachers and team members from time to time depending on the  
171 needs of the school and the ability of teachers to participate;

172 (iv) Career ladder steps that are permanent steps for master teachers who possess the  
173 appropriate leadership certification to progress in teacher leadership positions with additional  
174 compensation and reduced teaching load to assume duties under the direction of the principal  
175 without leaving the classroom completely;

176 (v) A clear definition in statute and policy of the role and responsibilities of career ladder  
177 teacher leaders that includes leadership for instructional improvement;

178 (vi) Career ladder teacher leader standards that include the essential role of leadership in  
179 developing a culture of collegiality and professionalism among the staff so that improving student  
180 learning is a shared responsibility;

181 (vii) The scope of topics to be covered in the preparation programs and certifications for  
182 career ladder teacher leaders;

183 (viii) Appropriate limitations on the number of teachers in career lattice positions and on  
184 the number of teachers in career ladder positions, separately, for schools of different size and  
185 programmatic level; and

186 (ix) An additional incentive increment in the salary scale for excellent teachers and  
187 principals who accept transfer to a low performing school for a certain number of years;

188 (C) Issues relating to a leadership development pipeline that include, but are not limited  
189 to, the following:

190 (i) A comprehensive leadership development process for school systems to identify, recruit  
191 and train outstanding leadership candidates consistent with numbers needed to meet the  
192 projected needs of the school system;

193 (ii) A method for school-level identification of those teachers who most clearly demonstrate

194 budding leadership qualities as potential candidates for development into the career ladder  
195 teacher leaders, assistant principals and principals of the future;

196 (iii) Appropriate school district and higher education partnerships for preparation, support  
197 and credentialing at each step so the focus on instructional leadership will become pervasive; and

198 (iv) Allowances that may be necessary to fill positions during the transition to new  
199 leadership models; and

200 (D) Issues related to local and state systems of support that include, but are not limited to,  
201 the following:

202 (i) Information management tools that enhance the capacity of school leaders and  
203 leadership teams to quickly assemble performance information on student learning and other  
204 aspects of the school's learning environment into the actionable intelligence needed for strategic  
205 planning, adjusting instructional strategies and focusing on individual student needs;

206 (ii) School-level tools or resources that give principals a flexible, timely and targeted way  
207 to meet the professional development needs of teachers at their school;

208 (iii) Methods to help ensure the uniformity and inter-rater reliability of the portion of the  
209 professional personnel performance evaluation based on teaching standards;

210 (iv) Additional state-level infrastructure that may be needed to support the additional  
211 credentialing and monitoring of course work and degree attainment for salary progressions and  
212 new leadership positions;

213 (v) Methods to support, encourage and facilitate school-level leadership for instructional  
214 improvement, to endorse and encourage innovation to improve the success of all students rather  
215 than rely on top-down enforcement of one size fits all approaches to education; and

216 (vi) Methods to establish an emphasis on human resource management including, but  
217 not limited to, approaches to improve the position posting and recruitment of new graduates for  
218 shortage area positions, and improving the retention of new professional personnel.

219 (c) Reports and recommendations to Legislature and Governor.--

220 (1) Not later than regular session of the Legislature, 2018, the state board shall make a  
221 report to the Joint Standing Committee on Education and the Governor on transforming school  
222 leadership including, at a minimum:

223 (A) Recommendations on a general leadership structure and definitions of the roles and  
224 responsibilities for principals and teacher leaders;

225 (B) Identification of affected statutes and policies, including pending and completed policy  
226 revisions, and recommendations for statutory amendments, if any, needed to effectuate its  
227 recommendations;

228 (C) An outline of sequential implementation of the changes needed to transform school  
229 leadership, and recommendations for phased implementation, if any; and

230 (D) The estimated costs of implementation of the recommendations and statutory changes  
231 necessary to effectuate the recommendations.

NOTE: The purpose of this bill is to initiate a comprehensive transformation in school leadership through a process that includes broad stakeholder input under the State Board of Education to assist it in developing recommendations to the Legislature and the Governor.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.