

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 4447**

BY DELEGATES ESPINOSA, D. EVANS, PERRY,

ANDERSON, FERRO AND DUKE

[Introduced February 8, 2016; Referred  
to the Committee on Education.]

1 A BILL to amend and reenact §18-5A-3a of the Code of West Virginia, 1931, as amended, relating  
 2 to granting a local school improvement council waiver for the purpose of increasing the  
 3 compulsory school attendance age in Marshall County.

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

1 That §18-5A-3a of the Code of West Virginia, 1931, as amended, be amended and  
 2 reenacted to read as follows:

**ARTICLE 5A. LOCAL SCHOOL INVOLVEMENT.**

**§18-5A-3a. Waivers of statutes granted to public schools pursuant to recommendations submitted by local school improvement councils; limitations.**

1 (a) The Legislature hereby grants a waiver from the statute or statutes indicated for the  
 2 following school or schools pursuant to and for the purposes enumerated in the written statement  
 3 recommending the waiver, with supporting reasons, approved by the local school improvement  
 4 council of the respective schools and recommended by the Legislative Oversight Commission on  
 5 Education Accountability in accordance with the provisions of section three of this article. The  
 6 grant of a waiver to a statute means that the school or schools granted the waiver may implement  
 7 the actions as specifically described in their written statement notwithstanding the provisions of  
 8 this code from which they are specifically waived. These waivers are limited to the purposes as  
 9 specifically described in the statement upon which the Legislative Oversight Commission on  
 10 Education Accountability made its recommendation for a waiver to the Legislature and are  
 11 expressly repealed for any modification or implementation of the described actions which changes  
 12 those purposes. However, nothing in this section prohibits a local school improvement council  
 13 school that has been granted a waiver from submitting a request to the Legislative Oversight  
 14 Commission on Education Accountability for modifications, subject to approval in accordance with  
 15 section three of this article.

16 (b) The following waivers are granted:

17 (1) Section two-b, article three, chapter eighteen-a of this code is waived for the schools

18 of Cabell County for the purpose of implementing a comprehensive new teacher induction  
19 program, which purposes are as more specifically described in the schools written statement  
20 approved by the county board and submitted to the Legislative Oversight Commission on  
21 Education Accountability on February 24, 2011.

22 (2) Section one-a, article eight, chapter eighteen of this code is waived for the schools of  
23 Marshall County for the purpose of increasing the compulsory school attendance age in Marshall  
24 County from seventeen to eighteen years of age as a part of its county-wide dropout prevention  
25 initiative as requested by letter dated January 4, 2016, and recommended by the Legislative  
26 Oversight Commission on Education Accountability on January 18, 2016.

NOTE: The purpose of this bill is to grant a waiver for the purpose of increasing the compulsory school attendance age in Marshall County.

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