

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2194**

(BY DELEGATES GEARHEART, AMBLER, COOPER,  
HAMRICK AND BALDWIN)

[Introduced February 8, 2017; Referred  
to the Committee on Education then Finance.]

1 A BILL to amend of the Code of West Virginia, 1931, as amended, by adding thereto a new  
 2 section, designated §18-3-9c, relating to reduction of personnel employed by the West  
 3 Virginia Department of Education; legislative findings; establishing a maximum ratio of the  
 4 number of employees of the department to the number of students enrolled in the state  
 5 after June 30, 2017; and requiring the state superintendent to establish a policy to attain  
 6 the ratio.

*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 §18-3-9c, to read as follows:

**ARTICLE 3. STATE SUPERINTENDENT OF SCHOOLS.**

**§18-3-9c. Reduction of personnel necessary to carry out the duties and meet  
 departmental goals.**

1 (a) The Legislature finds that the 2012 Education Efficiency Audit of West Virginia's  
 2 Primary and Secondary Education System made several findings regarding the West Virginia  
 3 Department of Education, including:

4 (1) For the fiscal year 2011, the department lists a total of six hundred thirty-seven  
 5 positions;

6 (2) In addition to the superintendent and deputy superintendent, the department has four  
 7 assistant superintendents, nineteen executive directors and twenty-seven assistant directors, one  
 8 division assistant chief and one executive director/chief financial officer;

9 (3) In fiscal year 2011, the department had a total payroll of \$45.7 million;

10 (4) The West Virginia Department of Education has the second highest ratio of state  
 11 primary and secondary education administrators and staff on the state level to students enrolled  
 12 in primary and secondary schools in the nation and the ratio is greatly in excess of that in any  
 13 surrounding state; and

14 (5) Taxpayers as well as primary and secondary education students in West Virginia

15 deserve the most efficient use of scarce education resources possible and classroom education  
16 should be the primary focus of any education paradigm.

17 (b) After June 30, 2019, the number of employees of the department may not exceed a  
18 ratio greater than one employee for every two thousand enrolled students in the state. The  
19 superintendent shall develop and adopt a strategic plan and policy to meet this ratio, which may  
20 include, but is not limited to, the following:

21 (1) Restructure the organization of the department with emphasis on meeting the major  
22 educational goals and functions of the department;

23 (2) Identification of and, to the extent practicable, adoption of best practices used or  
24 recommended by professionally recognized resources in the education community;

25 (3) Increase the span of supervisory control to not less than a one to ten ratio of  
26 supervisors to subordinates to facilitate the reduction in the number of offices within the  
27 department;

28 (4) Reduction of the number of funded positions in the department; and

29 (5) Implementation of additional cross-department initiatives to reduce duplication of work  
30 and effort to ensure funds are used as efficiently as possible.

NOTE: The purpose of this bill is to establish a maximum ratio of the number of employees of the West Virginia Department of Education to the number of students enrolled in the state after June 30, 2019 at not greater than one employee to two thousand students; and to require the state superintendent to establish a policy to attain the ratio.

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