

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Originating

Senate Bill 842

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[Originating in the Committee on Education; reported
on February 21, 2020]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §18-3-13, all relating to requiring the State Superintendent of Schools to
3 immediately establish a Behavior Interventionist Pilot Program in two county school
4 districts for the duration of five years; setting forth criteria to be used in the selection of the
5 two county school districts; allowing the two county school districts to immediately create
6 a new behavior interventionist position; requiring the county superintendent to convene a
7 committee consisting of certain school personnel and the education organizations to
8 establish qualifications and hiring; requiring behavior interventionists to be designated by
9 the county board as either a professional person or a service person; requiring the
10 designated county school districts to establish the qualifications and training requirements;
11 and requiring annual report to the Legislative Oversight Commission on Education
12 Accountability.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. STATE SUPERINTENDENT OF SCHOOLS.

§18-3-13. Behavior Interventionist Pilot Program.

1 (a) The Legislature finds that:
2 (1) Behavior problems of special education students can be better addressed by personnel
3 who specialize in addressing student behavior issues;
4 (2) With the advent of the opioid crisis in recent years in West Virginia, behavior problems
5 in the state's elementary and secondary education system have increased significantly;
6 (3) Behavior problems impact not just the student who is misbehaving, but also other
7 students at the school;
8 (4) The state should explore various ways to address this issue;
9 (5) One such method of successfully addressing behavioral problems could be through
10 the use of behavior interventionists; and

11 (6) A behavior interventionist who is trained to address student behavior issues at a school
12 could free classroom teachers from having to address behavior issues and allow them to focus
13 exclusively on teaching students which could result in academic achievement increases for other
14 students in the classroom.

15 (b) The state superintendent shall immediately establish a Behavior Interventionist Pilot
16 Program to be implemented in two county school districts for the duration of five years. In
17 selecting the two county school districts, the state superintendent shall select districts meeting
18 the following criteria:

19 (1) The districts shall have among the highest number in the state of students with an
20 individual education program;

21 (2) The districts designated by the state superintendent for the pilot program shall have
22 schools that have a significant number of students enrolled with behavior issues; and

23 (3) The districts shall have the resources to hire and train personnel who specialize in
24 addressing students with behavior issues.

25 (c) The county school districts designated for the pilot programs pursuant to this section
26 may immediately create a new employment position, entitled "behavior interventionist", which is
27 a school-based position that specializes in addressing behavior issues at a school. Once the
28 counties are chosen, the county superintendent shall convene a committee consisting of
29 principals, teachers, classroom aides, and the education organizations to establish qualifications
30 and hiring. Behavior interventionists shall be designated by the county board as either a
31 professional person or a service person. If the behavior interventionist is designated as a service
32 person, he or she shall be assigned a pay grade D for the purpose of the salary schedule set forth
33 in §18A-4-8a of this code. The county school districts designated for the pilot programs shall
34 establish the qualifications for personnel employed in the behavior interventionist position and
35 shall establish the initial and continuing training requirements for the personnel employed in the
36 position.

37 (d) Annually, for the duration of the pilot programs and once after the conclusion of the
38 pilot programs, the county superintendents of the county school districts designated for the pilot
39 programs shall report to the Legislative Oversight Commission on Education Accountability on:

40 (1) Progress toward and methods of implementation of the pilot programs, including the
41 required qualifications and training for personnel employed in the behavior interventionist position;

42 (2) Indicators of the success of the pilot programs, which may include reductions in
43 disciplinary actions and increases in student achievement at the schools in which the behavior
44 interventionists are assigned;

45 (3) Their recommendation on whether the pilot programs should continue beyond the
46 current duration of the pilot programs; and

47 (4) Their recommendation on whether the pilot programs should be replicated in other
48 school districts that have a high percentage of students with an individual education program, that
49 have schools with significant student behavior problems, or both, and if so, how the pilot programs
50 could best be replicated based on the experience and knowledge gained from the pilot programs
51 established pursuant to this section.

NOTE: The purpose of this bill is to require the State Superintendent of Schools to establish a Behavior Interventionist Pilot Program to be implemented in two county school districts for the duration of five years; and allowing the two districts designated by the State Superintendent for the pilot to create a new employment position, entitled "behavior interventionist".

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