

# **WEST VIRGINIA LEGISLATURE**

**2023 REGULAR SESSION**

**Introduced**

## **House Bill 3285**

By Delegates Dillon, Ross, and Dean

[Introduced February 03, 2023; Referred to the  
Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new  
 2 section, designated §18-2E-5e, related to separating standardized test score reporting  
 3 based on attendance level of the student and using qualifiers to identify the different  
 4 reporting expectations.

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

**2E. HIGH QUALITY EDUCATIONAL PROGRAMS.**

**§18-2E-5e. Separate reporting for students with less instructional time and attendance**

1 Students enroll and disenroll from schools on a frequent basis for a variety of reasons  
 2 and the statistical validity of standardized testing depends upon an assumption of uniformity of  
 3 student instructional time and other variables between schools. For these reasons, individual  
 4 student performance and proficiency data from standardized testing shall not be included in the  
 5 aggregate reporting of individual schools to the Department of Education when:

6 (1) The individual student has not been enrolled for at least 90% of the duration of the  
 7 school year; and

8 (2) Has attended at least 80% of school days for such days.

9 If the student has not been enrolled for at least 90% of the duration of the school year  
 10 and attended at least 80% of school days for such days, testing data for the student will be  
 11 reported in a separate section with qualifiers listed.

NOTE: The purpose of this bill is to set standards for the reporting of standardized test scores for students with poor attendance records.

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