

Senate Bill No. 228

(By Senators Kessler (Acting President) and Hall,

By Request of the Executive)

[Introduced January 21, 2011; referred to the Committee on
Education; and then to the Committee on Finance.]

10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new article, designated §18-8B-1, §18-8B-2,
12 §18-8B-3 and §18-8B-4, all relating to school dropout
13 prevention and recovery; creating the Local Solution Dropout
14 Prevention and Recovery Act; providing legislative findings
15 and purpose for Local Solution Dropout Prevention and Recovery
16 Act; requiring State Department of Education to develop
17 statewide student profile system to include early warning
18 indicators for at-risk students; establishing pilot sites to
19 test individual statewide student profile system; creating
20 special revenue fund in State Treasury for Local Solution
21 Dropout Prevention and Recovery Fund; providing application
22 process for schools, groups of schools or school districts to
23 become designated dropout prevention and recovery pilot
24 projects; providing State Board of Education legislative and
25 emergency rule-making power to develop and implement dropout

1 prevention and recovery pilot program, application and award
2 process; and requiring the State Board of Education to provide
3 the Legislature with annual reports regarding the dropout
4 prevention and recovery pilot project.

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

6 That the Code of West Virginia, 1931, as amended, be amended
7 by adding thereto a new article, designated §18-8B-1, §18-8B-2,
8 §18-8B-3 and §18-8B-4, all to read as follows:

9 **ARTICLE 8B. LOCAL SOLUTION DROPOUT PREVENTION AND RECOVERY ACT.**

10 **§18-8B-1. Title.**

11 This article shall be known as the "Local Solution Dropout
12 Prevention and Recovery Act."

13 **§18-8B-2. Legislative findings and purpose.**

14 (a) *Legislative findings.* -- The Legislature finds that:

15 (1) High school graduation is an essential milestone for all
16 West Virginia students and impacts the future success of the
17 individual, community and state;

18 (2) There are significant correlations between educational
19 attainment and labor market outcomes, greater labor force
20 participation rate, increased employment rates, improved health,
21 and decreased levels of poverty and crime. The negative impact on
22 these linkages is most evident in the absence of high school
23 completion;

24 (3) Dropping out of school is a process, not an event, with

1 factors building and compounding over time;

2 (4) Students at risk of not completing high school can be
3 identified as early as sixth grade using the indicators of
4 attendance, behavior and course failures. Therefore, a
5 comprehensive graduation plan must include a comprehensive systemic
6 approach that emphasizes early interventions;

7 (5) Research identifies a number of effective strategies for
8 engaging students that have the most positive impact on improving
9 high school graduation rates. Some of these strategies are
10 school-community collaboration, safe learning environments, family
11 engagement, early literacy development, mentoring and tutoring
12 services, service learning opportunities, alternative and
13 nontraditional schooling, offering multiple pathways and settings
14 for attaining high school diplomas, after-school opportunities,
15 individualized instruction and career and technical education.

16 (6) Schools cannot solve the dropout problem alone. Research
17 shows when educators, parents, politicians, business leaders,
18 faith-based leaders, human service personnel, judicial personnel
19 and civic leaders collectively work together they are often able to
20 find innovative solutions to address school and community problems;
21 and

22 (7) Increasing high school graduation rates is an important
23 factor in preparing a college and career-ready citizenry. Higher
24 education institutions, including community and technical colleges,
25 are essential partners in creating local and statewide solutions.

1 (b) *Intent and purpose.* -- The intent and purpose of this
2 article is to:

3 (1) Provide the resources to develop a comprehensive statewide
4 individual student profile system to assist in identifying students
5 at-risk of not graduating from high school;

6 (2) Provide for the establishment of Local Solution Dropout
7 Prevention and Recovery Pilot programs, increase graduation rates
8 and reduce the number of dropouts from West Virginia schools;

9 (3) Provide schools and communities with opportunities for
10 greater collaboration to plan and implement systemic approaches
11 that include evidence-based solutions for increasing graduation
12 rates and reducing the number of dropouts;

13 (4) Provide a testing ground for innovative graduation
14 programs, incentives and approaches to reducing the number of
15 dropouts;

16 (5) Provide information regarding the effects of specific
17 innovations, collaborations and policies on graduation rates and
18 dropout prevention and recovery; and

19 (6) Document educational strategies that increase graduation
20 rates, prevent dropouts and enhance student success.

21 **§18-8B-3. Comprehensive individual student profile system; local**
22 **solutions dropout prevention and recovery fund;**
23 **application; state board rule.**

24 (a) The Department of Education shall develop a comprehensive

1 statewide individual student profile system that will include early
2 warning indicators for students at risk of not completing high
3 school, a multifaceted assessment system to quantify and qualify
4 students' intellectual abilities, talents, performance indicators
5 and student portfolios.

6 (b) Pilot sights will be established by the Department of
7 Education to test the comprehensive statewide individual student
8 profile system.

9 (c) There is hereby created in the State Treasury a special
10 revenue fund to be known as the "Local Solutions Dropout Prevention
11 and Recovery Fund." The fund shall consist of all moneys received
12 from whatever source to further the purpose of this article. The
13 fund shall be administered by the state board solely for the
14 purposes of this article. Any moneys remaining in the fund at the
15 close of a fiscal year shall be carried forward for use in the next
16 fiscal year. Fund balances shall be invested with the state's
17 consolidated investment fund and any and all interest earnings on
18 these investments shall be used solely for the purposes that moneys
19 deposited in the fund may be used pursuant to this article.

20 (d) A school, a group of schools or a school district, in
21 collaboration with a community or state partner, whether the
22 community or state partner be a public, private, for profit or
23 nonprofit entity, may apply to become a Local Solutions Dropout
24 Prevention and Recovery Pilot in accordance with this article.

25 (e) The state board shall promulgate a rule, including an

1 emergency rule if necessary, in accordance with article three-b,
2 chapter twenty-nine-a of this code to implement the provisions of
3 this article. The rule shall include provisions for at least the
4 following:

5 (1) A process for a school, a group of schools or a school
6 district to apply to become a Local Solutions Dropout Prevention
7 and Recovery Pilot that encompasses at least the following:

8 (A) The manner, time and process for the submission of an
9 application;

10 (B) The contents of the application, which must include a
11 general description of the dropout prevention and recovery
12 strategies and plan that the school, group of schools or school
13 district seeks to institute; and

14 (C) Factors to be considered by the state board when
15 evaluating an application which shall include, but are not limited
16 to, the following:

17 (i) Meaningful involvement of community organizations as
18 outlined in the dropout prevention and recovery plan and evidenced
19 by letters of support;

20 (ii) Support from parents, students, the county board of
21 education, the local school improvement council and school business
22 partners;

23 (iii) The level of staff commitment and support to apply to
24 become a Local Solutions Dropout Prevention and Recovery Pilot as
25 determined by a vote by secret ballot at a special meeting of

1 school employees to vote on the plan; and

2 (iv) The potential for an applicant to be successful in
3 building community awareness of the high school dropout problem and
4 developing and implementing its dropout prevention and recovery
5 plan;

6 (2) Standards for the state board to review applications for
7 designation as a Local Solutions Dropout Prevention and Recovery
8 Pilot and to make determinations of the applicants to be selected;
9 and

10 (3) The number or geographic locations of Local Solutions
11 Dropout Prevention and Recovery Pilots to be established.

12 (f) The state board shall review applications in accordance
13 with the standards adopted by the board and determine whether to
14 designate the applicant as a Local Solutions Dropout Prevention and
15 Recovery Pilot. The state board shall notify an applicant of the
16 board's determination within sixty days of receipt of an
17 application.

18 **§18-8B-4. Progress reviews and annual reports.**

19 (a) At least annually, the state board or its designated
20 committee shall review the progress of the development or
21 implementation of a Local Solutions Dropout Prevention and Recovery
22 Pilot program. If, following such a review, the state board
23 determines that a designated school, group of schools or school
24 district has not made adequate progress toward developing or
25 implementing its plan, the board shall submit a report to the

1 designated school, group of schools or school district identifying
2 its areas of concern. The state board or its designated committee
3 may conduct an additional review within six months of submitting a
4 report in accordance with this section. If, following such
5 additional review, the state board or its designated committee
6 determines that the designated school, group of schools or school
7 district has not made adequate progress toward developing or
8 implementing its program plan, the state board may revoke the
9 designation as a pilot program and withhold all future funding of
10 the designated school, group of schools or school district's plan.

11 (b) The state board shall provide an annual report on Local
12 Solutions Dropout Prevention and Recovery Pilot programs and plans
13 to the Legislative Oversight Commission for Educational
14 Accountability.

NOTE: The purpose of this bill is to create the Local Solutions Dropout and Prevention Pilot program to reduce the number of high school dropouts in West Virginia.

§18-8B-1, §18-8B-2, §18-8B-3 and §18-8B-4 are new, therefore strike-throughs and underscoring have been omitted.