

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

Senate Bill 607

FISCAL
NOTE

BY SENATORS BLAIR, CLINE, TARR, RUCKER, AND BOSO

[Introduced February 14, 2019; Referred
to the Committee on Education; and then to the Committee
on Finance]

1 A BILL to amend and reenact §18-20-2 of the Code of West Virginia, 1931, as amended, relating
2 to requiring county boards of education to provide a camera system in each classroom
3 designated exclusively for students with exceptional needs; and requiring that the system
4 allow authorized parents or guardians of students with exceptional needs to have remote
5 access to the visual feed captured by cameras in the classroom.

Be it enacted by the Legislature of West Virginia:

ARTICLE 20. EDUCATION OF EXCEPTIONAL CHILDREN.

§18-20-2. Providing suitable educational facilities, equipment and services.

1 (a) Each county board shall provide suitable educational facilities, special equipment and
2 special services that are necessary. Special services include provisions and procedures for
3 finding and enumerating exceptional children of each type, diagnosis by appropriate specialists
4 who will certify the child's need and eligibility for special education and make recommendations
5 for treatment and prosthesis as may alleviate the disability, special teaching by qualified and
6 specially trained teachers, transportation, lunches and remedial therapeutic services.
7 Qualifications of teachers and therapists shall be in accordance with standards prescribed or
8 approved by the state board.

9 (b) A county board may provide for educating resident exceptional children by contracting
10 with other counties or other educational agencies which maintain special education facilities.
11 Fiscal matters shall follow policies approved by the state board.

12 (c) The county board shall provide a four-clock-hour program of training for any teacher
13 aide employed to assist teachers in providing services to exceptional children under this article
14 prior to the assignment. The program shall consist of training in areas specifically related to the
15 education of exceptional children, pursuant to rules of the state board. The training shall occur
16 during normal working hours and an opportunity to be trained shall be provided to a service person
17 prior to filling a vacancy in accordance with the provisions of §18A-4-8b of this code.

18 (d) The county board annually shall make available during normal working hours to all

19 regularly employed teachers' aides 12 hours of training that satisfies the continuing education
20 requirements for the aides regarding:

21 (1) Providing services to children who have displayed violent behavior or have
22 demonstrated the potential for violent behavior; and

23 (2) Providing services to children diagnosed as autistic or with autism spectrum disorder.

24 This training shall be structured to permit the employee to qualify as an autism mentor after a
25 minimum of four years of training. The county board shall:

26 (A) Notify in writing all teachers' aides of the location, date and time when training will be
27 offered for qualification as an autism mentor; and

28 (B) Reimburse any regularly employed or substitute teacher's aide who elects to attend
29 this training for one half of the cost of the tuition.

30 (e) For any student whose individualized education plan (IEP) or education plan
31 established pursuant to Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C.
32 §794, requires the services of a sign support specialist or an educational sign language interpreter
33 I or II:

34 (1) Any educational sign language interpreter I or II assigned to assist that student is a
35 related service provider member of the education team who participates in IEP meetings and
36 works with the team to implement the IEP;

37 (2) A sign support specialist may be assigned to a student with an exceptionality other
38 than deaf or hard of hearing if it is determined that the student needs signs to support his or her
39 expressive communication; and

40 (3) A sign support specialist may be assigned to a student who is deaf or hard of hearing
41 in lieu of an interpreter only if an educational sign language interpreter I or II is unavailable, and
42 the sign support specialist is executing a professional development plan while actively seeking
43 certification as an educational sign language interpreter I or II. After two years the sign support
44 specialist may remain in the assignment only if an educational sign language interpreter I or II

45 remains unavailable, and with an approved waiver by the West Virginia Department of Education.
46 An employee in this situation is entitled to full payment of the costs of certification acquisition or
47 renewal pursuant to the certification renewal provisions of §18A-2-4 of this code.

48 (f) By July 1, 2020, the county board shall provide a camera system that must be present
49 and operating in each classroom designated exclusively for students with exceptional needs. This
50 system shall contain a mechanism so authorized parents or guardians of the students with
51 exceptional needs can have remote access to the visual feed captured by cameras in the
52 classroom.

53 ~~(f)~~ (g) Every teacher of a student for whom a school or county board of education prepares
54 a plan of accommodation pursuant to Section 504 of the Rehabilitation Act of 1973, as amended,
55 29 U.S.C. §794, shall receive specific instruction from the school regarding the contents and
56 requirements of the plan and, if the plan is prepared in writing, the teacher shall receive a copy of
57 the written plan and every update thereto and the teacher shall sign an acknowledgment of receipt
58 of each plan and update.

NOTE: The purpose of this bill is to require county boards of education to provide a camera system in each classroom designated exclusively for students with exceptional needs. The system must allow authorized parents or guardians of students with exceptional needs to have remote access to the visual feed captured by cameras in the classroom.

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