



SENATE BILL 1039

Student Success Act

THIS PRESENTATION WILL:

- **Provide an overview of the Student Success Act**
- **Provide detail in a section by section breakdown**
- **Provide the Fiscal Implications (Fiscal Notes)**

PUBLIC CHARTER SCHOOLS

PEIA COVERAGE ELIGIBILITY

Proposed Law

- **§5-16-2 and §5-16-22**
 - **Grants Charter School Employees eligibility for PEIA coverage**
 - **Does not require participation in PEIA**

TEACHER TAX CREDIT

Proposed Law

- §11-21-25
- Beginning January 1, 2019, education professionals are granted a \$250 tax credit for the purchase of curricular, cocurricular and extra-curricular educational materials including:
 - Computer equipment and software;
 - Textbooks; and
 - Workbooks
- An unused credit is forfeited and a carryback to a prior taxable year is not allowed

MOUNTAINEER CHALLENGE ACADEMY

Proposed Law

- §15-1B-24
- Expands current Preston County academy to 600 cadets per year
- Allows a second location in Fayette County
- Encourages the Governor to seek an amendment to the current agreement to allow these changes

MOUNTAIN STATE DIGITAL LITERACY PROJECT

Proposed Law

- §18-2E-12 Creates a pilot program for the 2020-2021 school year
- Participating schools will receive materials & support related to digital literacy and internet safety
- Allows third-party contracting and sets out qualifications
- Requires reporting to the Governor and LOCEA

PROFESSIONAL DEVELOPMENT

Proposed Law

- §18-21-4
- Requires BOE to promulgate rules by 12/1/19 to provide for individualized classroom teacher professional development and prior to 7/1/20 every teacher shall receive professional development on social, emotional and behavioral needs of students

PROFESSIONAL DEVELOPMENT

Proposed Law (cont.)

- **§18-21-4**
- **State BOE shall promulgate rules by 12/1/19 to create a Principal's Academy**
- **Sets out development guidelines**

STUDENT TRANSFERS

Proposed Law

- **§18-5-16**
- **Requires the establishment of attendance zones**

STUDENT TRANSFERS

Proposed Law (cont.)

- **Allows county boards of educations to establish intercounty student transfers effective for the 2020 school year**
 - **Sets enrollment preferences**
 - **Comply with requirements for children in foster care**
 - **Provides transportation requirements**
 - **Consideration for free or reduced price lunches for transfer students**
 - **Establishes a parent appeal process to the state board of education**

STUDENT TRANSFERS

Proposed Law (cont.)

- Requires a full-time transferred student to be counted in the net enrollment of the county where the student transferred
 - Provides for pro rata reimbursement upon a transfer back to the county of residence after the second month of school
 - Continues eligibility requirements for extracurricular activities as established by Secondary Schools Commission
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- §18-5-16a Expires July 1, 2020

TEACHER/PUPIL RATIO

Proposed Law

- §18-5-18a
- Requires reporting to the Legislature on overcrowding by 7/1/20 with a plan to reduce overcrowding.

SCHOOL COUNSELORS IN PUBLIC SCHOOLS

Proposed Law

- §18-5-18b
- Changes current requirement of direct counseling time with students from 75% to 80%
- Reduces administrative activities time from 25% to 20% per work day

SCHOOL CALENDAR

Proposed Law

- **§18-5-45**
- **Modifies definition of instructional day to an average of 5 hours per day of instruction to students**
- **Modifies the findings to provide for school system flexibility to design a school day and to provide for collaborative time for educators**
- **Provides for alternative teaching methods when schools are closed due to inclement weather or other unforeseen circumstances for up to 5 days**
- **Requires notice of public meetings on the county boards website**

LEGISLATIVE INTENT – SCHOOL CALENDAR

Proposed Law (cont.)

- **§18-5-45a**
- **Declares concerted work stoppage to be unlawful.**
- **Extracurricular events may not take place if an originally scheduled instructional day is cancelled due to a work stoppage**
- **Prohibits county superintendent from closing schools to facilitate a work stoppage**

STUDENT PROMOTION

Proposed Law

- **§18-5-46**
- **A teachers recommendation regarding the promotion of a student shall be the primary consideration when making such a determination**

EXCEPTIONAL NEEDS FUND

Proposed Law:

- § 18-5-48
- Allows each county board to establish by policy an exceptional needs fund from surpluses for students likely to perform better outside the public school setting

INNOVATION IN EDUCATION

Proposed Law

- **§18-5E-1 et seq.**
 - **Shifts the responsibility in designating innovation in education schools from the state board to county boards of education**
 - **Broadens innovation priorities in education.**
 - **Modifies required content for the innovation in education plan**
 - **Provides for a remedial action plan for underperforming schools**
 - **Provides for an appeal to the state BOE of any determination made by a county board**

PUBLIC CHARTER SCHOOLS

Proposed Law

- **§18-5G-1**
 - Sets out Legislative purpose and intent

- **§18-5G-2**
 - Defines terms

PUBLIC CHARTER SCHOOLS

§18-5G-3

(Requirements)

- Exempt from statutes and administrative regulations applicable to state board, county board or public school
- Requires them to meet the same immunization, civil rights and disability rights as public school.
- Precludes entrance requirements or tuition
- Forbids the power to levy taxes
- Elected officials prohibited from receiving monetary consideration from a public charter school
- Requires a governing board
- Equal instruction time

PUBLIC CHARTER SCHOOLS

§18-5G-3 (cont.)

- **Requires Criminal Background Checks for staff and volunteers**
- **Prohibits Contractors and Service Providers contact with students**
- **Ensures student participation in statewide assessment**
- **Adherence to general accounting practices**
- **Identical system for reporting student information data**
- **Comply with FOIA requests**

PUBLIC CHARTER SCHOOLS

§18-5G-3 (cont.)

- Use the West Virginia Education Information system
- Operate with oversight from the authorizing entity and pursuant to their contract
- Require monthly budgets from contract service providers
- Operate grades pre K through 12
- Provide services to students with disabilities

PUBLIC CHARTER SCHOOLS

§18-5G-3 (cont.)

- **May Contract - at a cost - with the authorizer or third party for the use of building, grounds, liability insurance and any service**
- **May sue or be sued**
- **May own, rent or lease space**
- **Can participate in cocurricular activities**
- **Can participate in extra-curricular activities which are offered at a non-public charter schools**

PUBLIC CHARTER SCHOOLS

§18-5G-3 (cont.)

- **Provide for a Governing Body:**
 - **Membership:**
 - No fewer than 5 members
 - Be comprised of 2 parents of students attending the school
 - One member of the county school board in which public charter school is located
 - Not be an employee of the specific public charter school, or an education service provider that serves the school
 - Disclose any conflict of interest

PUBLIC CHARTER SCHOOLS

§18-5G-3 (cont.)

- Possess expertise in leadership, curriculum and instruction, law and finance
- Be considered an officer of a school district
- Comply with open meetings law

PUBLIC CHARTER SCHOOLS

- §18-5G-4
- State Board set rules for student application & lottery procedures
- Sets enrollment preferences
- Requires a recruitment & retention plan annually which specifically lists strategies to attract, enroll and retain students...

PUBLIC CHARTER SCHOOLS

- §18-5G-5

- Sets minimum application requirements
- Requires detailed information regarding contract educational service providers

- §18-5G-6

- Sets out authorizers powers and duties including:
 - Approve, decline or negotiate applications
 - Performance monitoring
 - Oversight and evaluation
 - Interviews
 - Receive public input
- Requires filling of application with WV Department of Education
- Allows the state board to establish an authorizer oversight fee based on per student operational funding

PUBLIC CHARTER SCHOOLS

- §18-5G-7

- Requires a contract within 90 days of an approval of an application for a public charter school
- Sets out required contract terms
- Shall provide operational performance indicators, measures and metrics
- Requires the authorizers to collect and report success and achievement data
- Sets out required signatures
- Requires a contract prior to operation

PUBLIC CHARTER SCHOOLS

§18-5G-8

- Establishes criteria for renewal or nonrenewal of public charter school contracts
- Requires rulemaking to establish a renewal process and revocation process
- Sets out conditions that would result in nonrenewal or revocation
- Requires closure protocols and transition protocols from public charter schools to non public charter schools

PUBLIC CHARTER SCHOOLS

§18-5G-9

- Provides an appeal process for denial, nonrenewal or revocation of a charter application or contract to the state BOE
- Appeal must occur within 30 days of decision
- Requires BOE to promulgate rules

PUBLIC CHARTER SCHOOLS

§18-5G-10

- Establishes prohibitions for public charter schools:
 - May not be home based; or
 - May not discriminate on any basis that a public school may not discriminate
- An exception is provided for the creation of a public charter school focused on at risk students, students with disabilities and students with severe disciplinary problems

PUBLIC CHARTER SCHOOLS

§18-5G-11

- Allows the state board to promulgate rules:
- Providing funding for public charter schools
- Setting the funding minimum that 90% of the per public total follows the student
- Allowing modification for student transportation costs
- Providing for the designation of which county shall pay for a pupil attending a public charter school
- Requiring adherence to Federal requirements regarding funding

PUBLIC CHARTER SCHOOLS

§18-5G-11 (cont.)

- **Accounting for unforeseen issues**
- **Prohibiting discrimination against a district employee involved in the public charter school application**
- **Ensuring the accountability of the public charter school to meet standards for student performance required of other public school students**
- **Providing for a provision to allow the schools for the deaf and blind to apply**
- **Facilitating two geographically diverse youth programs similar to the Mountaineer Challenge Academy**

PUBLIC CHARTER SCHOOLS

§18-5G-12

- Allows public charter schools to lease public facilities for a local county board not used in whole or part for classroom instruction
- Must be leased at or under current market value
- The public charter school is responsible for direct expenses of the leased facility

PUBLIC CHARTER SCHOOLS

§18-5G-13

- Requires an annual report from each authorizer to the State Superintendent for presentation to the state BOE within 60 days of the end of the school year
- Requires the state superintendent to publish an annual report assessing the programs success and challenges of the public charter school program

PUBLIC CHARTER SCHOOLS TEACHER'S RETIREMENT

Proposed Law

- §18-7A-3 and §18-7B-2
- **Allows the inclusion of public charter school teachers in the State Teachers Retirement System**

COMPULSORY SCHOOL ATTENDANCE

Proposed Law

- **§18-8-4**
- **Modifies the duties of the county Attendance Director or Assistant Principle to require “meaningful” contact with parent, guardian or custodian after three unexcused absences and again after five unexcused absences**

STUDENT SUPPORT SERVICES

Proposed Law

- §18-9A-2, §18-9A-8 and §18-9A-9
- Modifies definition of professional student support personnel to include social workers and psychologists
- Clean up language made necessary by passage of SB1
- Increases by 10% the net enrollment for the purpose of calculating state funding to all counties whose enrollment is below 1400 students

STUDENT SUPPORT SERVICES

- **Increases the basic foundation allowance for paying professional student support personnel, which may result in additional professional student support personnel-Step 5**
- **Increases the county allowance for current expenses from 70.25% to 71.25%-Step 6a**

STATE AID BLOCK GRANT FUNDING

Proposed Law

- **§18-9A-19**
- **Creates flexibility for county boards for funding by allowing for block granting of the allocated state aid**
- **Exempts county block grant funding from expenditure requirements**

SEARCHABLE BUDGET DATABASE AND WEBSITE

Proposed Law

- §18-9B-22
- Requires the state superintendent to provide the State Auditor information in a searchable budget data website
- Sets out required data
- Requires updating within 30 days of the end of the fiscal year
- Data is to be retained for the three previous fiscal years
- Effective 7/1/20

EDUCATION OF EXCEPTIONAL CHILDREN

Proposed Law

- **§18-20-5**
- **Allows public charter schools to receive appropriations for serving exceptional children similar to current appropriations for county boards**

SALARY ENHANCEMENT (TEACHERS)

Proposed Law

- §18A-4-2
 - Creates a second salary schedule which provides a 5% across the board pay increase
 - Allows a classroom teacher providing math instruction in his/her certified area of study at least 60% of the time to have three additional years of experience for purposes of the salary schedule
 - Allows a classroom teacher certified in special education and employed full time as a special education teacher to have three additional years of experience for purposes of the salary schedule

SALARY ENHANCEMENT (TEACHERS)

- **§18A-4-5**
 - **Removes equity language**
 - **Grants counties flexibility to use local funds for educational purposes including salary supplements**
- **§18A-4-5a**
 - **Allows counties flexibility to provide additional compensation to teachers who:**
 - **Teach a subject area of critical need where there is a shortage of certified teachers;**
 - **Teach in remote geographic locations or locations with high turn over rates; or**
 - **Teachers who are assigned as master teachers, mentors or academic coaches**

SALARY ENHANCEMENT (TEACHERS)

- **§18A-4-7a**
 - **Permits a county board to base employment decisions regarding transfer, reassignment or a reduction in the workforce on individual qualifications as set forth in board policy**
 - **Sets out considerations for defining “qualifications”**
 - **Required notice to professional personnel on the preferred list of job applications annually**

SALARY ENHANCEMENT (SERVICE PERSONNEL)

Proposed Law

- **§18A-4-8a**
 - **Increase salary for school service personnel by \$115 per month**

SALARY ENHANCEMENTS

§18A-4-10

- Currently employees receive 3 days of annual leave without regard to the cause of the absence. This updates the policy to grant employees 4 days of annual leave without regard to the cause of the absence**
- Grants a teacher a bonus of \$500 if they do not use more than 4 days of leave during the 200 day employment term (teachers only)**

INCENTIVES FOR TEACHING IN SHORTAGE AREAS

Proposed Law

- §18C-4-1 *et seq.*
- Modifies the Underwood-Smith Teaching Scholars Program to place an emphasis on educators in areas of critical shortage
- Expands the use of the program funds for loan repayment assistance and teacher scholarships
- Ensures additional support and mentoring of recipients
- §18C-4-2
- Transfers the selection process from Higher Education Student Financial Aid Advisory Board to the Vice Chancellor of Administration who appoints a selection panel

INCENTIVES FOR TEACHING IN SHORTAGE AREAS

- **Modifies eligibility requirements from requiring a student to be in the top 10% statewide on the ACT to requiring a GPA of at least 3.25 on 4.0 scale and meeting specified college readiness standards**
- **Requires scholarship recipients to teach in a critical teacher shortage field in the state for 5 consecutive years**
- **§18C-4-5 Modifies the award amount from up to \$5,000 to \$10,000 annually**
- **18C-4A-2&3 Sets conditions for Loan Repayment Program**

LIABILITY INSURANCE

Proposed Law

- **§29-12-5a**
- **Requires county boards to provide written notice of liability coverage to teachers, service personnel, administrators, school board members and other county school employees**
- **Extends liability coverage to public charter schools**
- **Increases liability coverage for all county boards of education from \$1MM to \$1.25MM**

FISCAL SUMMARY

Enhancements for Teachers and School Personnel:

Mathematics Incentive Program	2.3 million
Special Education Incentive Program	5.5 million
\$250 Tax credit*	5.9 million
\$500 Bonus for unused leave	2.0 million
Liability Insurance/BRIM	750,000
Underwood-Smith Teaching Scholars*	612,000
<u>Other Compounding impacts to PSSP</u>	<u>700,000</u>
	TOTAL: 17.76 million

*** This item will be effective for FY 2021**

FISCAL SUMMARY

Improvements for all counties:

Mountain State Digital Literacy Program	200,000
Additional Student Support Staff	24 million
CBRP Contribution for newly hired staff	17.1 million
Local Share Determination to 85%	17.7 million
Funding Increase for counties with less than 1400	5.3 million
<u>Changes in Foundation allowance for Current Expenses</u>	<u>1.7 million</u>
	TOTAL: 66.0 million

*** This item will be effective for FY 2021**

FISCAL SUMMARY

Student and Parent Choice:

<u>Mountaineer Challenge Academy*</u>	<u>22.0 million</u>
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TOTAL: 22.0 million

* This item will be effective for FY 2021

FISCAL SUMMARY

Total Cost (new money for FY 2020):

Enhancements for Teachers and Service Personnel	11.25 million
Improvement for all Counties	66.00 million
Student and Parent Choice	0.00 million
TOTAL:	77.25 million

Total Overall Cost (new & appropriated money) 171.61 million