WEST VIRGINIA CODE: §18-5A-2

§18-5A-2. Local school improvement councils; election and appointment of members and officers; meetings; required meetings with county board; assistance from state board.

(a) A local school improvement council shall be established at every school, consisting of the following:

(1) The principal, who serves as an ex officio member of the council and is entitled to vote;

(2) Three teachers elected by the faculty senate of the school;

(3) Two service persons elected by the service personnel employed at the school, one of whom may be a bus operator who transports students enrolled at the school;

(4) Three parent(s), guardian(s) or custodian(s) of students enrolled at the school elected by the parent(s), guardian(s) or custodian(s) of students enrolled at the school in such manner as may be determined by the principal, one of which may be a representative of the parent-teacher organization. Under no circumstances may a parent member of the council be then employed at that school in any capacity;

(5) Three at-large members appointed by the principal, at least one of whom resides in the school's attendance area, and at least one of whom represents business or industry, neither of whom are eligible for any local school improvement council membership under any of the other elected classes of members;

(6) In the case of vocational-technical schools, comprehensive middle schools and comprehensive high schools, the vocational director or principal, as applicable, shall appoint up to four additional members from any one or more of the following categories: Employer; employer sponsored training program; apprenticeship program; and post-secondary education; and

(7) In the case of a school with students in grade seven or higher, the student body president or other student in grade seven or higher elected by the student body in those grades.

(b) The principal shall arrange for the election of members to the local school improvement council to be held prior to September 15, of each school year to elect a council and shall give notice of the elections at least one week prior to the elections being held. To the extent practicable, all elections to select council members shall be held within the same week.

(c) Parent(s), guardian(s) or custodian(s), teachers and service personnel elected to the council shall serve a two-year term and elections shall be arranged in such a manner that no more than two teachers, no more than two parent(s), guardian(s) or custodian(s) and no more than one service person are elected in a given year. All other non-ex officio members

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shall serve one-year terms.

(d) Council members may only be replaced upon death, resignation, failure to appear at three consecutive meetings of the council for which notice was given, or a change in personal circumstances so that the person is no longer representative of the class of members from which appointed. In the case of a vacancy in an elected position, the chair of the council shall appoint another qualified person to serve the unexpired term of the person being replaced or, in the case of an appointed member of the council, the principal shall appoint a replacement as soon as practicable.

(e) As soon as practicable after the election of council members, and no later than October 1, of each school year, the principal shall convene an organizational meeting of the school improvement council. The principal shall notify each member by written or electronic means at least five employment days in advance of the organizational meeting. At this meeting, the principal shall provide each member with the following:

(1) A copy of the current applicable sections of this code;

(2) Any state board rule or regulation promulgated pursuant to the operation of these councils; and

(3) Any information as may be developed by the Department of Education on the operation and powers of local school improvement councils and their important role in improving student and school performance and progress.

(f) The council shall elect from its membership a chair and two members to assist the chair in setting the agenda for each council meeting. The chair shall serve a term of one year. If the chair’s position becomes vacant for any reason, the principal shall call a meeting of the council to elect another qualified person to serve the unexpired term. Once elected, the chair is responsible for notifying each member of the school improvement council in writing five employment days in advance of any council meeting.

(g) School improvement councils shall meet at least once every nine weeks or equivalent grading period at the call of the chair or by the petition of three fourths of its members. The principal shall notify each member by written or electronic means at least five employment days in advance of the organizational meeting. The school improvement council shall ensure that minutes are taken at every meeting and made available to the public on the school’s website and upon request.

(h) The school improvement council annually shall conduct at least one meeting to engage parents, students, school employees, business partners, trade partners, and other interested parties in a positive and interactive dialogue regarding the school's academic performance and standing as determined by measures adopted by the state board. The dialogue shall include an opportunity for the parents, students, school employees, business partners and other interested parties to make specific suggestions on how to address issues which are

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seen to affect the school's academic performance which may include, but are not limited to, parent and community involvement, the learning environment, student engagement, attendance, supports for at-risk students, curricular offerings, resources, and the capacity for school improvement. The council shall announce any such meeting 10 employment days in advance. The school improvement council shall ensure that a report of concerns, suggestions, and points raised is produced and made available on the school's website and forwarded to both the county board and the Office of Accountability within the Department of Education or a successor office. The county board shall also post the report on its website.

(i) The local school improvement council of each school deemed to be low performing under the accountability system established by the state board shall meet at least annually with the county board. At any such meeting, the principal and local school improvement council chair, or another member designated by the chair, shall be prepared to address the dialogue at its meeting or meetings to give the parents, students, school employees, business partners and other interested parties an opportunity to make specific suggestions on how to address issues which are seen to affect the school's academic performance and any other matters as may be requested by the county board as specified in the meeting agenda provided to the council and may further provide any other information, comments or suggestions the local school improvement council wishes to bring to the county board's attention. Anything presented under this subsection shall be submitted to the county board in writing.

(j) Local school improvement councils shall be considered for the receipt of school of excellence awards and competitive grant awards and may receive and expend such grants for the purposes provided. Local school improvement councils may propose alternatives to the operation of the school in accordance with §18-5A-3 of this code and may include in the proposal a request for a waiver of rules and policies of the county board and state board, state superintendent interpretations, and state statutes if necessary to implement the proposal.

(k) In any and all matters which may fall within the scope of both the school improvement councils and the school curriculum teams authorized in §18-5A-5 of this code, the school curriculum teams have jurisdiction.

(l) In order to promote innovations and improvements in the environment for teaching and learning at the school, a school improvement council shall receive cooperation from the school in implementing policies and programs it may adopt to:

(1) Encourage the involvement of parent(s), guardian(s) or custodian(s) in their child's educational process and in the school;

(2) Encourage businesses to provide time for their employees who are parent(s), guardian(s) or custodian(s) to meet with teachers concerning their child's education;

(3) Encourage advice and suggestions from the business community;

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(4) Encourage school volunteer programs and mentorship programs;

(5) Foster utilization of the school facilities and grounds for public community activities;

(6) Encourage students to adopt safe and healthy lifestyles; and

(7) Communicate to students the common skills and attributes sought by employers in prospective employees.

(m) Councils may adopt their own guidelines established under this section. In addition, the councils may adopt all or any part of the guidelines proposed by other local school improvement councils, as developed under this section, which are not inconsistent with the laws of this state, the policies of the West Virginia Board of Education or the policies of the county board.

(n) The State Board of Education shall provide assistance to a local school improvement council upon receipt of a reasonable request for that assistance. The state board also may solicit proposals from other parties or entities to provide orientation training for local school improvement council members and may enter into contracts or agreements for that purpose. Any training for members shall meet the guidelines established by the state board.

(o) The state board shall ensure that training in the role and governance of local school improvement councils is provided to principals, county boards, and others the state board determines appropriate, upon employment and every three years thereafter. The state board shall also ensure that a document is produced explaining to parents and community leaders their role in local school improvement councils. This document shall be made available on the West Virginia Department of Education's website and may be distributed to all parents.

(p) Any public charter school established pursuant to §18-5G-1 *et seq*. of this code may, at its discretion, abide by all or some of the local school improvement council requirements of this section and may modify any of the requirements it elects to follow to adapt them to be consistent with the operations of the school.

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