WEST VIRGINIA CODE: §18-5E-3

§18-5E-3. Application for Innovation in Education school designation; application review and approval; state board rule.

(a) The state board may designate a school as a STEM, community school partnership, entrepreneurship, career pathways or the arts Innovation in Education school in accordance with this article and shall promulgate a rule, including an emergency rule if necessary, in accordance with article three-b, chapter twenty-nine-a of this code to implement the provisions of this article. The rule shall include at least the following:

(1) A process for a school to apply for designation as an Innovation in Education school in STEM, community school partnership, entrepreneurship, career pathways or the arts;

(2) Clear and concise application evaluation factors in rubric form, including standards for the state board to review and make a determination of whether to designate an applicant as an Innovation in Education school;

(3) The manner, time and process for application submission;

(4) The form and necessary contents of the application, including but not limited to, the following:

(A) The proposed mission and vision of the school as it pertains to becoming an Innovation in Education school, including identification of the designation it seeks to obtain as a primary focus on which may include: (i) Science, technology, engineering and math (STEM); (ii) community school partnership; (iii) entrepreneurship; (iv) career pathways; or (v) the arts;

(B) An executive summary;

(C) The school's proposed academic program, including a description of the school's instructional design, learning environment, class structure, curriculum overview, teaching methods, research basis and other elements required in the school's Innovation in Education plan pursuant to section four of this article;

(D) A clear articulation of the areas of autonomy and flexibility in curriculum, budget, school schedule and calendar, professional development, and staffing policies and procedures which would require a waiver of policy or code; and

(E) The school's Innovation in Education plan; and

(7) Following the initial evaluation of Innovation in Education schools as provided in section six of this article, the process by which the state board will periodically review the performance and student success of Innovation in Education schools, reaffirm or reconsider the designation of a school, and identify exemplary schools to serve as demonstration sites.

WV Legislature

(b) The state board may provide for the West Virginia Department of Education to independently assess applicants based on the evaluation factors rubric and provide the state board with this assessment. The state board shall consider the evaluation factors in rubric form in making any Innovation in Education school designation determination. In making a designation determination, the state board shall:

(1) Grant a designation only to applicants who have demonstrated competence in each element of the evaluation factors and who have demonstrated their capacity to operate an Innovation in Education school that will increase student achievement;

(2) Base determinations on documented evidence collected through the application review process;

(3) If appropriate, include in a designation determination reasonable conditions that the applicant must meet before commencing operation under the designation, including resubmission of the application;

(4) Decline weak or inadequate applications and clearly state its reasons for denial;

(5) Make and announce all designations of Innovation in Education schools in a meeting open to the public and clearly state in a resolution the reasons for the decisions. A copy of the resolution shall be submitted to Legislative Oversight Commission on Education Accountability; and

(6) Convey its determination on an application in writing to the applicant.

(c) An Innovation in Education school may not commence or continue operations without a signed operational agreement as provided in section five of this article between the county board and the school principal.

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