## **WEST VIRGINIA CODE: §18-5F-4**

## §18-5F-4. County board policy adoption.

- (a) A county board or a multicounty consortium may create a virtual instruction program for one or more schools serving any composition of grades kindergarten through twelve by adopting a policy creating the program and after adopting the policy may contract with virtual school providers. When there is a multicounty consortium, each county board in the consortium shall adopt a policy creating the virtual instruction program. The virtual instruction program may begin July 1, 2017, or at any point thereafter: Provided, That, notwithstanding any other provision of this article to the contrary, no eligible students in grades kindergarten through five may participate in a virtual instruction program until after the program has been in operation for one full school year.
- (b) The policy adopted by the county board pursuant to this section shall govern the virtual instruction program offered by the county board or multicounty consortium.
- (c) The policy shall be consistent with this article and may offer eligible students in grades kindergarten through twelve an online pathway for earning a high school diploma and, at a minimum, shall include the following:
- (1) The scope, instructional model and capacity for the virtual education program;
- (2) Assessment protocol and specific requirements for monitoring performance that are consistent with section five, article two-e of this chapter;
- (3) A plan for monitoring students receiving virtual instruction in accordance with pacing and completion of the required virtual coursework: Provided, That, if virtual instruction occurs in a public school classroom then a teacher, professional personnel, professional educator or paraprofessional employed by that county must be present to monitor;
- (4) Qualifications of faculty, which at a minimum shall include a teaching certificate issued pursuant to article three, chapter eighteen-a of this code and state board rules; and
- (5) A requirement that any virtual school provider contracted with comply with state and federal privacy laws.