# 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.

WV Legislature