WEST VIRGINIA CODE: §18A-3-13

§18A-3-13. Training course for principals in public schools; informing teachers of due process; IEP format.

(a) *Training.* – Principals who are employed in public schools, appropriate central office personnel, superintendent, and county board of education members shall receive in-person training on the Individuals with Disability Education Act (IDEA), federal regulations and West Virginia State Board of Education Policy 2419 "Regulations for the Education of Students with Exceptionalities". Specifically, this training must include the understanding of a students' Least Restrictive Environment (LRE), student discipline procedures and requirements, and parental rights and due process safeguards. This training shall also include the following information:

(1) Maximum class size for instructional periods by programmatic level and level of service needs for students with disabilities;

(2) Extenuating circumstances for submitting a waiver request when student numbers exceed staffing ratios;

(3) Teacher's rights for advocating for students, procedural rights documentation, and all protections set forth under §18-20-1c;

(4) Classroom teachers' rights and protections that they may not be reprimanded for advocating for their student(s); and

(5) Information related to local advocacy agencies and local United States Department of Education funded advocacy agencies.

(b) *Time period*. – This training shall be conducted for principal, appropriate central office personnel, Superintendents, and county board of education members before December 31, 2025, and following subsequent revisions to IDEA, federal regulations and/or West Virginia State Board of Education Policy 2419 "Regulations for the Education of Students with Exceptionalities". Newly employed personnel and elected or appointed county board of education members shall receive this training within 30 days thereof.

(c) *Teacher protections and rights*. – Each principal and county board members shall inform teachers, in person, of their rights; including but not limited to:

(1) The documentation process within a 45-day grading period for teachers;

(2) The rights of teachers when it comes to informing parents of local advocates who can come to the Individualized Education Program ("IEP") meetings;

(3) Protection methods in place for teachers who advocate for student placement; and

WV Legislature

(4) All teacher protections and rights set forth under §18-20-1c.

(d) *Individualized Education Program meeting format*. – In every Individualized Education Program meeting, a representative of the school shall explain to the guardian of the child, verbally, the process for identifying a student, the parents or guardians due process rights, teacher protections and procedural rights as set forth under §18-20-1c and local advocacy centers information and points of contact.

WV Legislature