

SB 104

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WEST VIRGINIA LEGISLATURE

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REGULAR SESSION, 1996

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ENROLLED

Committee Substitute for
SENATE BILL NO. 104

(By Senator Miller, et al)

—●—

PASSED February 9, 1996
In Effect from Passage

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CLERK OF THE SENATE
STATE OF WEST VIRGINIA

E N R O L L E D

COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 104

(SENATORS MILLER, WAGNER, BOWMAN, BAILEY, BOLEY,
BUCKALEW, KIMBLE, MINEAR, PLYMALE, DEEM,
SCHOONOVER, BLATNIK AND LOVE, *original sponsors*)

[Passed February 9, 1996; in effect from passage.]

AN ACT to repeal section three, article two-e, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to further amend said article by adding thereto a new section, designated section one-a; and to amend and reenact sections two and four of said article, all relating to eliminating the statewide testing of educational progress program (WV-STEP); creating a new section requiring the state board of education to recommend an assessment program and report to the legislative oversight commission on education accountability; creating an advisory council for the purpose of consulting with the state board and state superintendent regarding the recommendation of the assessment program; providing an option for teachers to administer the WV-STEP test in the 1995-96 school year; and renaming section two of said article to retain the requirement of the national assessment of educational progress program testing.

Be it enacted by the Legislature of West Virginia:

That section three, article two-e, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; that said article be further amended by adding thereto a new section, designated section one-a; and that sections two and four of said article be amended and reenacted, all to read as follows:

ARTICLE 2E. HIGH QUALITY EDUCATIONAL PROGRAMS.

§18-2E-1a. Recommendation of assessment program; advisory council established.

1 (a) In order to further the purposes of this article, the
2 state board shall recommend to the legislative oversight
3 commission on education accountability an assessment
4 program for the measurement of the educational progress
5 of public school students in attaining a high quality
6 education. A model of such program shall be presented to
7 the legislative oversight commission on education
8 accountability on or before the first day of November, one
9 thousand nine hundred ninety-six.

10 (b) An advisory council is hereby established for the
11 purpose of consulting with and advising the state
12 superintendent of schools and the state board of education
13 regarding the establishment of the assessment program
14 mentioned in subsection (a) of this section. Members of
15 the council shall be appointed by the state superintendent
16 and shall include the following: Two county super-
17 intendents, two school principals, three classroom
18 teachers, and two members of the public at large who are
19 also members of local school improvement councils. Upon
20 recommendation of the assessment program to the
21 legislative oversight commission on education
22 accountability by the state board, the advisory council
23 shall be terminated.

24 (c) Nothing in this section shall be construed to prevent
25 any teacher from administering the statewide testing of
26 educational progress program (WV-STEP) during the
27 school year of one thousand nine hundred ninety-
28 five—ninety-six: *Provided*, That the cost of duplicating
29 the test and all other related expenses shall be borne by
30 the state board of education.

§18-2E-2. National assessment of educational progress program testing.

1 Beginning in the school year one thousand nine hundred
2 ninety—ninety-one, and continuing thereafter, national
3 assessment of educational progress program tests shall be
4 administered in academic areas at the various grades
5 designated by the national assessment of educational
6 progress officials to provide comparisons of West Virginia
7 students to a national sample.

§18-2E-4. Better schools accountability; school, school district and statewide school report cards.

1 (a) For the purpose of providing information to the
2 parents of public school children and the general public
3 on the quality of education in the public schools which is
4 uniform and comparable between schools within and
5 among the various school districts, the state board shall
6 prepare forms for school, school district and statewide
7 school report cards and shall promulgate rules concerning
8 the collection and reporting of data and the preparation,
9 printing and distribution of report cards under this
10 section. The forms shall provide for brief, concise
11 reporting in nontechnical language of required
12 information. Any technical or explanatory material a
13 county board wishes to include shall be contained in a
14 separate appendix available to the general public upon
15 request.

16 (b) The school report cards shall include:

17 (1) The following indicators of student performance at
18 the school in comparison with the county, state, regional
19 and national student performance, as applicable: School
20 attendance rates; the percent of students not promoted to
21 next grade; the graduation rate; and student mobility
22 (turnover shown as a percent of transfers out and a
23 percent of transfers in); and

24 (2) The following indicators of school performance in
25 comparison with the aggregate of all other schools in the
26 county and the state, as applicable: Average class size;
27 percent of enrollments in courses in 'high' school.

28 mathematics, science, English and social science; amount
29 of time per day devoted to mathematics, science, English
30 and social science at middle, junior high and high school
31 grade levels; percent of enrollments in college preparatory,
32 general education and vocational education programs;
33 pupil-teacher ratio; number of exceptions to pupil-teacher
34 ratio requested by the county board and the number of
35 exceptions granted; the number of split-grade classrooms;
36 pupil-administrator ratio; operating expenditure per
37 pupil; county expenditure by fund in graphic display; and
38 the average degree classification and years of experience
39 of the administrators and teachers at the school;

40 (3) Every county board of education shall annually
41 determine the number of administrators, classroom
42 teachers and service personnel employed that exceeds the
43 number allowed by the public school support plan and
44 determine the amount of salary supplements that would
45 be available per state authorized employee if all
46 expenditures for the excess employees were converted to
47 annual salaries for state authorized administrators,
48 classroom teachers and service personnel within their
49 county. The information shall be published annually in
50 each school report card of each such county.

51 (c) The school district report card shall include the data
52 for each school for each separately listed applicable
53 indicator and the aggregate of the data for all schools, as
54 applicable, in the county for each indicator. The
55 statewide school report card shall include the data for
56 each county for each separately listed indicator and the
57 aggregate for all counties for each indicator.

58 (d) The report cards shall be prepared using actual local
59 school, county, state, regional and national data indicating
60 the present performance of the school and shall also
61 include the state norms and the upcoming year's targets
62 for the school and the county board.

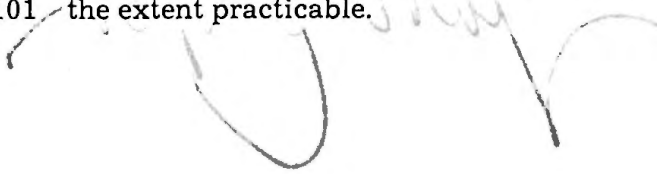
63 The state board shall provide technical assistance to
64 each county board in preparing the school and school
65 district report cards.

66 Each school district board shall prepare report cards in
67 accordance with the guidelines set forth in this section.
68 The school district report cards shall be presented at a
69 regular school board meeting subject to applicable notice
70 requirements and shall be made available to a newspaper
71 of general circulation serving the district. The school
72 report cards shall be mailed directly to the parent or
73 parents of any child enrolled in that school. In addition,
74 each county board shall submit the completed report cards
75 to the state board which shall make copies available to
76 any person requesting them.

77 The report cards shall be completed and disseminated
78 prior to the first day of January, one thousand nine
79 hundred eighty-nine, and in each year thereafter, and
80 shall be based upon information for the current school
81 year, or for the most recent school year for which the
82 information is available, in which case the year shall be
83 clearly footnoted.

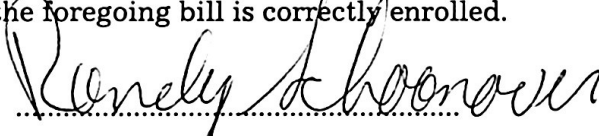
84 (e) In addition to the requirements of subsection (c) of
85 this section, the school district report card shall list: (1)
86 The names of the members of the district school board, the
87 dates upon which their terms expire and whether they
88 have attended an orientation program for new members
89 approved by the state board and conducted by the West
90 Virginia school board association or other approved
91 organizations, and other school board member training
92 programs; and (2) the names of the district school
93 superintendent and every assistant and associate
94 superintendent and any training programs related to their
95 area of school administration which they have attended.
96 The information shall also be reported by district in the
97 statewide school report card.

98 (f) The state board shall develop and implement a
99 separate report card for nontraditional public schools
100 pursuant to the appropriate provisions of this section to
101 the extent practicable.



Enr. Com. Sub. for S. B. No. 104] 6

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



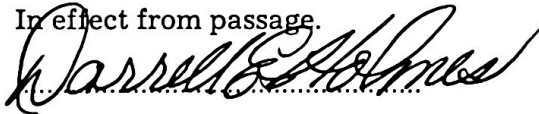
Chairman Senate Committee



Chairman House Committee

Originated in the Senate.

In effect from passage.



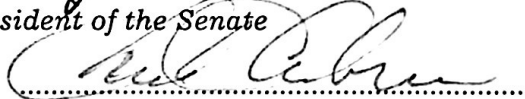
Clerk of the Senate



Clerk of the House of Delegates

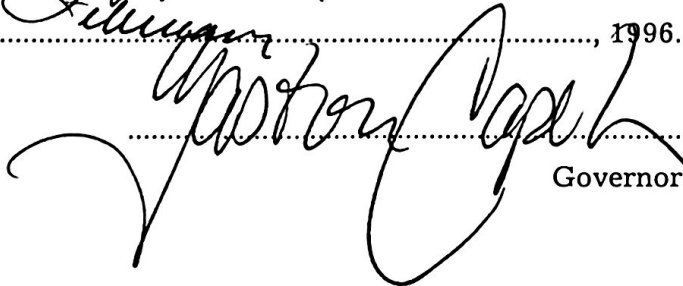


President of the Senate



Speaker House of Delegates

The within is approved this the 9th
day of September, 1996.



Governor

PRESENTED TO THE

GOVERNOR

Date 2/9/96

Time 4:55 pm