WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1997

ENROLLED
(Mr. President, and Members of the Senate, pro tempore:
Senator Tomsick introduced the following substitute for Senate Bill No. 427
By request of the Executive)

PASSED April 12, 1997
In Effect July 1, 1997

[Signature]
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ENROLLED

COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 427

(BY SENATORS TOMBLIN, MR. PRESIDENT, AND BUCKALEW,
BY REQUEST OF THE EXECUTIVE)

[Passed April 12, 1997; to take effect July 1, 1997.]

AN ACT to repeal section six, article three-a, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact sections one and two of said article, all relating to public school professional development; repealing obsolete provisions relating to a task force on teacher preparation; clarifying that advanced placement is under the center; recognizing importance of principals and administrators skilled in modern management principles; changing the membership of the center for professional development board and
eliminating the advisory council; making the secretary of education and the arts the chair of the center board; providing qualification for center executive director and making executive director at will and pleasure of the secretary; requiring the center to assist in the delivery of programs and activities to meet local needs; providing for required fees and creating a special fund in the state treasury; focusing mission of professional development project of center on identifying, coordinating, arranging and otherwise assisting in the delivery of professional development for teachers, principals and administrators based on laws, policies and regulations adopted for public schools of West Virginia; authorizing center to permit classroom aides, other school personnel and higher education faculty to participate in appropriate professional development; requiring center to advise teacher education programs of changes in law and policy that affect professional educator job performance; and requiring center to assist in delivery of programs and activities to meet expressed needs of school districts.

Be it enacted by the Legislature of West Virginia:

That section six, article three-a, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that sections one and two of said article be amended and reenacted, all to read as follows:

CHAPTER 18A. SCHOOL PERSONNEL.

ARTICLE 3A. CENTER FOR PROFESSIONAL DEVELOPMENT.

§18A-3A-1. Center for professional development continued; intent; advisory council.

1 (a) Teaching is a profession that directly correlates to the social and economic well-being of a society and its citizens. Superior teaching is essential to a well educated and productive populace. Strong academic leadership provided by principals and administrators skilled in modern management principles is also essential. The intent of this article is to recognize the value of professional involvement by experienced educators, principals and administrators in building and maintaining a superior force of professional educators and to establish avenues
for applying such involvement.

In furtherance of this intent, the center for professional development is continued and reestablished. The general mission of the center is to study matters relating to the quality of teaching and management in the schools of West Virginia and to promote the implementation of programs and practices to assure the highest quality in teaching and management. The center shall also perform such duties as are assigned to it by law.

Nothing in this article shall be construed to require any specific level of funding by the Legislature.

(b) The center board existing before the effective date of this section is abolished. The center board, after the effective date of this section, shall consist of a board of eleven persons as members as follows: The secretary of education and the arts, ex officio, who shall be the board chair, and the state superintendent of schools, ex officio, both of whom shall be entitled to vote; three members of the state board of education, elected by the state board; three experienced educators, of whom two shall be working classroom teachers and one of whom shall be a school or county administrator, appointed by the governor by and with the advice and consent of the Senate; and three citizens of the state who are knowledgeable in matters relevant to the issues addressed by the center, including, but not limited to, professional development and management principles, appointed by the governor by and with the advice and consent of the Senate. Not more than two appointees shall be residents within the same congressional district. The secretary of education and the arts shall convene the first meeting of the center board.

The election and appointment of members shall be made as soon as possible after the effective date of this section. Of the initial members from the state board of education, one shall be elected for a term of one year and two shall be elected for terms of two years. All successive elections shall be for two-year terms. The state board of education shall elect another member to fill the unexpired term of any person so elected who subsequently vacates state
board membership. Of the initial appointed members, three shall be appointed for one-year terms and three shall be appointed for two-year terms. All successive appointments shall be for two-year terms. The governor shall appoint a new member to fill the unexpired term of any vacancy in the appointed membership.

The center for professional development board shall meet at least quarterly and the appointed members shall be reimbursed for reasonable and necessary expenses actually incurred in the performance of their official duties from funds appropriated or otherwise made available for such purposes upon submission of an itemized statement therefor.

The secretary of education and the arts, with the advice of the center board, from appropriations to the center for professional development, may employ and fix the compensation of an executive director with knowledge and experience in professional development and management principles and such other persons as may be necessary to carry out the mission and duties of the center. When practical, personnel employed by state higher education agencies and state, regional and county public education agencies shall be made available to the center to assist in the operation of projects of limited duration.

The center shall assist in the delivery of programs and activities pursuant to this article to meet the local professional development needs of teachers, principals and administrators and may contract with existing agencies or agencies created after the effective date of this section or others to provide training programs in the most efficient manner. Existing programs currently based in agencies of the state shall be continued in the agency of their origin unless the center establishes a compelling need to transfer or cancel the existing program. The center shall recommend to the governor the transfer of funds to the providing agency, if needed, to provide programs approved by the center.

Pursuant to the provisions of article ten, chapter four of this code, the center for professional development board
(c) On or before the first day of January, one thousand nine hundred ninety-eight, the center for professional development shall develop and communicate to the state board of education a curriculum for the principals academy. The curriculum shall be based upon the minimum qualities, proficiencies and skills necessary for principals and recommended by the state board, pursuant to the terms of section two-c, article three of this chapter.

(d) In accordance with section two-c, article three of this chapter, the center shall be responsible for paying reasonable expenses for persons attending the principals academy: *Provided*, That nothing in this section shall be construed to require any specific level of funding by the Legislature.

(e) Persons attending the professional development offerings of the center and such other courses as shall be offered by the center for professional development, except the principals academy, shall be assessed fees which shall be less than the full cost of attendance. There is hereby created in the state treasury a special revenue account known as the "center for professional development fund". All moneys collected by the center shall be deposited in the fund for expenditure by the center board for the purposes specified in this section. Moneys remaining in the fund at the end of the fiscal year are subject to reappropriation by the Legislature.

§18A-3A-2. Professional development project.

Through this project the center shall:

(1) Identify, coordinate, arrange and otherwise assist in the delivery of professional development programs and activities that help professional educators acquire the knowledge, skills, attitudes, practices and other such pertinent complements deemed essential for an individual to demonstrate appropriate performance as a professional personnel in the public schools of West Virginia. The basis for such performance shall be the laws, policies and
regulations adopted for the public schools of West Virginia, and amendments thereto. The center may also permit and encourage school personnel such as classroom aides, higher education teacher education faculty and higher education faculty in programs such as articulated tech prep associate degree and other programs to participate in appropriate professional development programs and activities with public school professional educators;

(2) Identify, coordinate, arrange and otherwise assist in the delivery of professional development programs and activities that help principals and administrators acquire knowledge, skills, attitudes and practices in academic leadership and management principles for principals and administrators and such other pertinent complements deemed essential for principals and administrators to demonstrate appropriate performance in the public schools of West Virginia. The basis for such performance shall be the laws, policies and regulations adopted for the public schools of West Virginia, and amendments thereto;

(3) Serve in a coordinating capacity to assure that the knowledge, skills, attitude and other pertinent complements of appropriate professional performance which evolve over time in the public school environment are appropriately reflected in the programs approved for the education of professional personnel, including, but not limited to, advising the teacher education programs of major statutory and policy changes in the public schools which affect the job performance requirements of professional educators, including principals and administrators;

(4) Provide for the routine updating of professional skills of professional educators, including principals and administrators, through in-service and other programs. Such routine updating may be provided by the center through statewide or regional institutes which may require a registration fee; and

(5) Provide consultation and assistance to county staff development councils established under the provisions of section eight, article three of this chapter in planning, designing, coordinating, arranging for and delivering
professional development programs to meet the needs of the professional educators of their district. From legislative appropriations to the center for professional development, exclusive of such amounts required for the expenses of the principals academy, the center shall, unless otherwise directed by the Legislature, provide assistance in the delivery of programs and activities to meet the expressed needs of the school districts for professional development to help teachers, principals and administrators demonstrate appropriate performance based on the laws, policies and regulations adopted for the public schools of West Virginia.
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.

To take effect July 1, 1997.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the day of , 1997.

Governor