WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 1999

ENROLLED

House Bill No. 3024
(By Delegates Williams, Romine, Susman, Manuel, Shelton, Stemple and Anderson)

Passed March 13, 1999
In Effect Ninety Days from Passage
AN ACT to amend article two-e, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section three-d, relating to establishment of a competitive grant "Mathematic Achievement Through Help" program; providing legislative intent and purposes; specifying priorities for grant awards; and providing procedures for grant application and selection.

Be it enacted by the Legislature of West Virginia:

That article two-e, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section three-d, to read as follows:

ARTICLE 2E. HIGH QUALITY EDUCATIONAL PROGRAMS.

§18-2E-3d. Summer school MATH grant program created; legislative findings and purpose of section.

1 (a) The Legislature hereby finds and acknowledges that, if remediation is necessary, it should be provided when students are younger and before patterns of failure are established. The
Virginia would be better served if the state acted to ensure that all public school students were able to execute mathematical skills at or above grade level upon exiting grade four, that county boards are in the best position to determine if remediation is necessary for students in kindergarten through grade four and that the counties should have the option of providing summer school for students and may consider student attendance as a factor in determining whether a child is eligible to be promoted to the next grade.

The Legislature further finds that not all students are financially able to pay for summer school, nor do all county schools hold summer school. It is, therefore, the purpose of this section to help the county boards to provide, either individually or cooperatively, free summer school and summer school transportation for those students in kindergarten through grade four who did not perform at grade level during the regular school year. It also is the purpose of this section to help students in kindergarten through grade four who are identified as being in danger of failing to execute mathematical skills at grade level by the end of the school year to receive intensive mathematics instruction during their regularly scheduled mathematics time throughout the regular school year.

(b) Subject to appropriation by the Legislature therefor, the state board shall establish a competitive grant program as set forth in this section to provide mathematics programs for students in kindergarten through grade four who are not performing at grade level. The program shall be designated and known as the “Mathematic Achievement Through Help” program and, along with such designation, may be referred to as “West Virginia MATH”.

Priorities for awarding the grants shall include, but are not limited to:

(1) Schools that have math test scores below the state standards; or

(2) Schools that receive federal funds for the improvement of mathematics.
Competitive grant applications must be submitted by the county boards, or by a community collaborative with the county board as a partner with leadership responsibility, and shall describe how the program will:

(1) Employ strategies, proven methods and innovative techniques for student learning, teaching and school management that are based on reliable research and effective practices, and can be replicated in other schools to improve the mathematical skills of students;

(2) Contain measurable goals for the improvement of student mathematical skills and benchmarks for meeting those goals;

(3) Include a plan for the evaluation of student progress toward achieving the state’s high standards;

(4) Identify how other federal, state, local and private resources, including volunteers, will be utilized to further the intent of this section;

(5) Link summer improvement programs for mathematics with mathematical instruction and remediation throughout the school year;

(6) Determine the feasibility of collaborating with colleges of education for the purpose of providing educational experiences for prospective teachers;

(7) Identify the use of technology, including computers and calculators, and demonstrate how technology will be integrated into the program; and

(8) Accomplish other objectives as deemed necessary by the state board.

c) Any county receiving a grant should encourage students in kindergarten through grade four who did not perform at grade level during the regular school year to attend summer school and may consider summer school attendance as a factor in determining whether a child is eligible to be promoted to the next grade. The county board shall provide intensive mathemat-
ics instruction during regularly scheduled mathematics time throughout the regular school year to students in kindergarten through grade four who are identified by the classroom teacher as being in danger of failing to execute mathematical skills at grade level by the end of the school year. Nothing in this section shall prohibit county boards from permitting students to participate in mathematics programs on a student fee basis.

(d) The state board shall approve procedures for the implementation of this section. To assist the state board in developing procedures for the implementation of this section, including the grant application and the grant review and selection process, the state board shall appoint an advisory board consisting of the mathematics education coordinator and the title I mathematics coordinator/specialist, both from the state department of education, a college or university professor of mathematics, a county mathematics curriculum specialist, an elementary teacher with a mathematics certification, an elementary principal with a mathematics certification, a mathematics teacher with a certificate issued by the National Board of Professional Teaching Standards, a representative from the West Virginia council of teachers of mathematics and two or more representatives from local school systems that are certified in mathematics education, or representatives of like successor organizations should these named organizations cease to exist. The procedures shall provide for:

(1) The appointment of a grant review and selection panel by the state board consisting of persons with expertise and practical experience in delivering programs to increase the mathematical skills of young students, not more than one half of whom may be employees of the state department of education, or the state board may designate the advisory board as the grant review and selection panel;

(2) Notice to all schools of the grant competition and the availability of applications on or before the thirtieth day of September, in each fiscal year for which grant funds are available;
(3) A grant application deadline postmarked on or before the fifteenth day of December, in each fiscal year for which grant funds are available;

(4) Notice of grant awards on or before the first day of March, in each fiscal year for which grant funds are available; and

(5) Other such requirements as deemed necessary by the state board.

(e) The state board may fund, from any other funds available for such purposes, the programs required by this section for students in kindergarten through grade four and any programs required by state board rules such as, but not limited to, the following:

(1) Tutoring;

(2) Summer school educational services;

(3) Additional certified personnel to provide intensive instruction in mathematics throughout the school year;

(4) Staff development for teachers; and

(5) Hot meal programs.

(f) Nothing in this section shall supersede the individualized education program (IEP) of any student.

(g) Nothing in this section may be construed to require any specific level of funding by the Legislature.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within _______ approved this the ______ day of ______, 1999.

Governor