

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2000

ENROLLED

House Bill No. 4413

(By Delegates Mezzatesta, Williams, Paxton,
Davis, Fletcher, Houston and Calvert)

Passed March 9, 2000

In Effect from Passage

ENROLLED

H. B. 4413

(BY DELEGATES MEZZATESTA, WILLIAMS, PAXTON,
DAVIS, FLETCHER, HOUSTON AND CALVERT)

[Passed March 9, 2000; in effect from passage.]

AN ACT to amend and reenact section twenty-six, article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to establishing regional education service agencies; purposes; authority to implement regional services; and compensation.

Be it enacted by the Legislature of West Virginia:

That section twenty-six, article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-26. Establishment of multicounty regional educational service agencies; purposes; authority to implement regional services.

- 1 (a) In order to consolidate and administer more effectively
- 2 existing educational programs and services so individual

3 districts will have more discretionary moneys for educational
4 improvement and in order to equalize and extend educational
5 opportunities, the state board of education shall establish
6 multicounty regional educational service agencies for the
7 purpose of providing high quality, cost effective educational
8 programs and services to the county school systems, and shall
9 make such rules as may be necessary for the effective adminis-
10 tration and operation of the agencies.

11 (b) In furtherance of these purposes, the board of directors
12 of each regional educational service agency shall continually
13 explore possibilities for the delivery of services on a regional
14 basis which will facilitate equality in the educational offerings
15 among counties in its service area, permit the delivery of high
16 quality educational programs at a lower per student cost,
17 strengthen the cost effectiveness of education funding re-
18 sources, reduce administrative and/or operational costs,
19 including the consolidation of administrative, coordinating and
20 other county level functions into region level functions, and
21 promote the efficient administration and operation of the public
22 school systems generally.

23 Technical, operational, programmatic or professional
24 services are among the types of services appropriate for
25 delivery on a regional basis.

26 (c) In addition to performing the services and functions
27 required by the provisions of this or any other section of this
28 code, a regional educational service agency may implement
29 regional programs and services by a majority vote of its board
30 of directors. When the vote is not unanimous, the board of
31 directors shall file a plan for the service or program delivery
32 with the state board describing the program or service, the
33 manner of delivery and the projected savings and/or the
34 improved quality of the program or service. The state board
35 shall promulgate rules requiring a county board that declines to

36 participate in the programs or services to show just cause for
37 not participating and the estimated savings accruing to the
38 county from the program or services. If a county board fails to
39 show that savings will accrue to the county or that the quality
40 of the program will be significantly and positively affected as
41 a result of its decision not to participate, the state board shall
42 withhold from the county's foundation allowance for adminis-
43 trative cost the lesser of the amount of the estimated savings or
44 the allocation for the county's foundation allowance for
45 administrative cost.

46 (d) The state board, in conjunction with the various regional
47 educational service agencies, shall develop an effective model
48 for the regional delivery of instruction in subjects where there
49 exists low student enrollment or a shortage of certified teachers
50 or where the delivery method substantially improves the quality
51 of an instructional program. The model shall incorporate an
52 interactive electronic classroom approach to instruction. To the
53 extent funds are appropriated or otherwise available, county
54 boards or regional educational service agencies may adopt and
55 utilize the model for the delivery of the instruction.

56 (e) Each county board of education shall use the uniform
57 integrated regional computer information system recommended
58 by the state board of education for data collection and reporting
59 to the state department of education. County boards of educa-
60 tion shall bear the cost of and fully participate in the implemen-
61 tation of the system by: (1) Acquiring necessary, compatible
62 equipment to participate in the regional computer information
63 system; or (2) following receipt of a waiver from the state
64 superintendent, operating a comparable management informa-
65 tion system at a lower cost which provides at least all uniform
66 integrated regional computer information system software
67 modules and allows on-line, interactive access for schools and
68 the county board of education office onto the statewide commu-
69 nications network. All data formats shall be the same as for the

70 uniform integrated regional information system and will reside
71 at the regional computer. Any county granted a waiver shall
72 receive periodic notification of any incompatibility or defi-
73 ciency in its system. No county shall expand any system either
74 through the purchase of additional software or hardware that
75 does not advance the goals and implementation of the uniform
76 integrated regional computer information system as recom-
77 mended by the state board.

78 (f) Each regional educational service agency shall submit
79 a report and evaluation of the services provided and utilized by
80 the schools within each respective region. Furthermore, each
81 school shall submit an evaluation of the services provided by
82 the regional educational service agency, which shall include an
83 evaluation of the regional educational service agency program,
84 suggestions as to how to improve utilization and the individual
85 school's plan as to development of new programs and enhance-
86 ment of existing programs. The reports is due by the first day of
87 January of each year and shall be made available to the state
88 board of education, the standing committees on education of the
89 West Virginia Senate and House of Delegates and to the
90 secretary of education and the arts.

91 (g) A regional board may receive and disburse funds from
92 the state and federal governments, member counties, gifts and
93 grants.

94 (h) Notwithstanding any other provision of this code to the
95 contrary, employees of regional educational service agencies
96 shall be reimbursed for travel, meals and lodging at the same
97 rate as state employees under the travel management office of
98 the department of administration.

99 (i) Regional educational service agencies shall hold at least
100 one half of their regular meetings during hours other than those
101 of a regular school day.

102 (j) Regional educational service agencies shall serve as the
103 lead agency for computer installation, maintenance and repair
104 for the basic skills computer program. Each regional educa-
105 tional service agency shall submit a quarterly status report on
106 turn around time for computer installation, maintenance and
107 repair to the state superintendent of schools who shall then
108 submit a report to the legislative oversight commission on
109 education accountability. The status report for turn around time
110 for computer installation, maintenance and repair shall be based
111 on the following suggested time schedules:

- 112 Network File Servers forty-eight hours
- 113 Local Area Networks forty-eight hours
- 114 West Virginia Education
- 115 Information System twenty-four hours
- 116 Computer Workstations three to five days
- 117 Printers three to five days
- 118 Other Peripherals three to five days

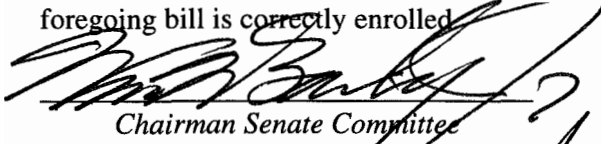
119 Regional educational service agencies shall also submit an
120 audit report to the legislative oversight commission on educa-
121 tion accountability each year.

122 (k) Pursuant to the processes and provisions of section
123 twenty-three-a, article two, chapter eighteen of this code, each
124 regional educational service agency shall provide coordinated
125 professional development programs within its region to meet
126 the professional development goals established by the state
127 board.

128 (l) Notwithstanding any other provision of the code to the
129 contrary, county board members serving on regional education

130 service agency boards may receive compensation at a rate not
131 to exceed one hundred dollars per meeting attended, not to
132 exceed fifteen meetings per year. County board members
133 serving on regional education service agency boards may be
134 reimbursed for travel at the same rate as state employees under
135 the rules of the travel management office of the department of
136 administration.

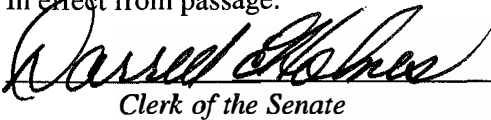
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

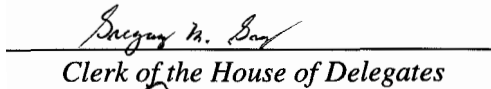

Chairman Senate Committee

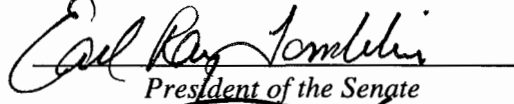

Chairman House Committee

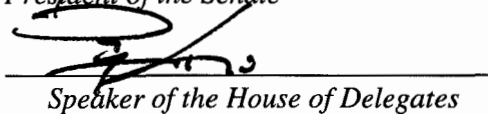
Originating in the House.

In effect from passage.

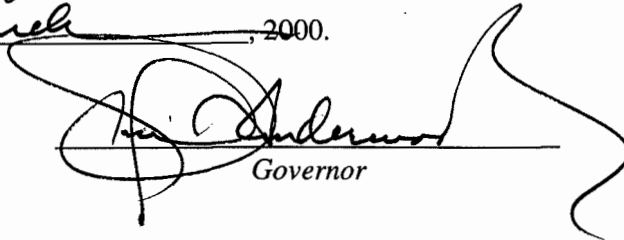

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within approved this the 17th
day of March, 2000.


Governor

PRESENTED TO THE

GOVERNOR

Date

3/14/00

Time

10:12 pm