WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION SESSION, 2010

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ENROLLED

House Bill No. 4669

(By Delegates Shaver, D. Walker, Lawrence, Canterbury, Shott, Sumner, Smith, Stowers, Rodighiero, Ireland and Rowan)

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Passed March 11, 2010

In Effect Ninety Days From Passage
AN ACT to amend the code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5B-10, relating to granting exceptions to certain statutes to innovation zone plans approved by state board; specifying scope, limitations and conditions on exceptions granted.

Be it enacted by the Legislature of West Virginia:

That the code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §18-5B-10, to read as follows:

ARTICLE 5B. SCHOOL INNOVATION ZONES ACT.

§18-5B-10. Exceptions to statutes granted to innovation zones; limitations.

(a) The Legislature hereby grants an exception to the statute or statutes indicated for the following schools pursuant to and for the purposes enumerated in their
innovation zone plans approved by the state board at its
meeting on the date specified. The grant of an exception to
a statute means that the school or schools granted the
exception may implement the actions as specifically
described in their approved innovation zone plan
notwithstanding the provisions of the statute from which they
are specifically excepted. These exceptions are limited to the
purposes as specifically described in the plan approved on the
date indicated and are expressly repealed for any plan
modification or plan implementation which changes those
purposes. However, nothing in this section prohibits a school
or schools with an approved innovation zone plan from
requesting plan modifications, subject to approval of the state
board, and if the modifications change the purposes for which
an exception to a statute was granted, the state board shall
request an exception to achieve the new purposes in the
manner provided in section five of this article for requesting
exceptions to a statute. If the approved innovation zone plan
of a school or schools is withdrawn by the state board, or the
innovation zone designation of a school or schools is revoked
by the state board, the exception granted to that school or
those schools is expressly repealed.

(b) The following exceptions are granted:

(1) Piedmont Elementary School, Kanawha County, is
excepted from subsection (3), section fourteen, article four,
chapter eighteen-a of this code for the purpose of allowing
specialist teachers to take their planning period before and
after school totaling one hour, three days per week, and from
section eighteen-a, article five of this chapter for the purpose
of permitting a number of students in music and physical
education classes in excess of the class size limits to provide
the time and structure for teams to meet in professional
learning communities, which purposes are as more
specifically described in the school’s innovation zone plan
approved by the state board on January 13, 2010;
(2) Putnam County High Schools Consortium comprised of Buffalo High School, Hurricane High School, Poca High School, Winfield High School and Putnam Career & Technical Center, Putnam County, is excepted from section forty-five, article five of this chapter only to the extent necessary for the purpose of establishing a structured transition program for freshman only one day prior to the beginning of the regular instructional term, and for the purpose of permitting the creation of not more than three hours each month during the school term of structured, regularly scheduled time for all teachers to work in professional learning communities, which purposes are as more specifically described in the schools’ innovation zone plan approved by the state board on January 13, 2010;

(3) Nellis Elementary School, Boone County, is excepted from subsection (a), section two, article five-a of this chapter, for the purpose of expanding the membership of its local school improvement council, which purpose is as more specifically described in the school’s innovation zone plan approved by the state board on January 13, 2010; and

(4) Cabell County Secondary School Consortium comprised of Cabell County Career Technical Center, Cabell Midland High School and Huntington High School, Cabell County, is excepted from sections one and one-a, article eight of this chapter for the purpose of raising the compulsory school attendance age to eighteen years old, and from section two-b, article three, chapter eighteen-a of this code for the purpose of providing a customized high quality beginning teacher induction program developed at the county level, which purposes are as more specifically described in the schools’ innovation zone plan approved by the state board on January 13, 2010.
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 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 is approved this the 19th day of March, 2010.

Governor
PRESENTED TO THE
GOVERNOR
MAR 18 2010
Time 3:08p