

HB 4669

2010 MAR 19 PM 2:32  
CLERK OF WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
SECOND REGULAR SESSION SESSION, 2010



**ENROLLED**

**House Bill No. 4669**

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



Passed March 11, 2010

In Effect Ninety Days From Passage

# ENROLLED

## H. B. 4669

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WEST VIRGINIA  
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(BY DELEGATES SHAVER, D. WALKER, LAWRENCE,  
CANTERBURY, SHOTT, SUMNER, SMITH, STOWERS,  
RODIGHIERO, IRELAND AND ROWAN)

[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.**

- 1 (a) The Legislature hereby grants an exception to the
- 2 statute or statutes indicated for the following schools
- 3 pursuant to and for the purposes enumerated in their

4 innovation zone plans approved by the state board at its  
5 meeting on the date specified. The grant of an exception to  
6 a statute means that the school or schools granted the  
7 exception may implement the actions as specifically  
8 described in their approved innovation zone plan  
9 notwithstanding the provisions of the statute from which they  
10 are specifically excepted. These exceptions are limited to the  
11 purposes as specifically described in the plan approved on the  
12 date indicated and are expressly repealed for any plan  
13 modification or plan implementation which changes those  
14 purposes. However, nothing in this section prohibits a school  
15 or schools with an approved innovation zone plan from  
16 requesting plan modifications, subject to approval of the state  
17 board, and if the modifications change the purposes for which  
18 an exception to a statute was granted, the state board shall  
19 request an exception to achieve the new purposes in the  
20 manner provided in section five of this article for requesting  
21 exceptions to a statute. If the approved innovation zone plan  
22 of a school or schools is withdrawn by the state board, or the  
23 innovation zone designation of a school or schools is revoked  
24 by the state board, the exception granted to that school or  
25 those schools is expressly repealed.

26 (b) The following exceptions are granted:

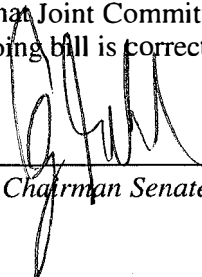
27 (1) Piedmont Elementary School, Kanawha County, is  
28 excepted from subsection (3), section fourteen, article four,  
29 chapter eighteen-a of this code for the purpose of allowing  
30 specialist teachers to take their planning period before and  
31 after school totaling one hour, three days per week, and from  
32 section eighteen-a, article five of this chapter for the purpose  
33 of permitting a number of students in music and physical  
34 education classes in excess of the class size limits to provide  
35 the time and structure for teams to meet in professional  
36 learning communities, which purposes are as more  
37 specifically described in the school's innovation zone plan  
38 approved by the state board on January 13, 2010;

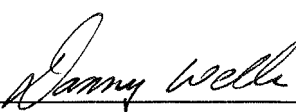
39 (2) Putnam County High Schools Consortium comprised  
40 of Buffalo High School, Hurricane High School, Poca High  
41 School, Winfield High School and Putnam Career &  
42 Technical Center, Putnam County, is excepted from section  
43 forty-five, article five of this chapter only to the extent  
44 necessary for the purpose of establishing a structured  
45 transition program for freshman only one day prior to the  
46 beginning of the regular instructional term, and for the  
47 purpose of permitting the creation of not more than three  
48 hours each month during the school term of structured,  
49 regularly scheduled time for all teachers to work in  
50 professional learning communities, which purposes are as  
51 more specifically described in the schools' innovation zone  
52 plan approved by the state board on January 13, 2010;

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

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


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


  
\_\_\_\_\_  
Chairman Senate Committee

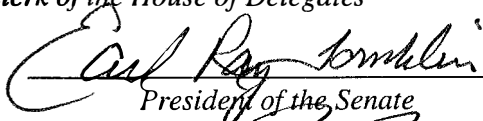
  
\_\_\_\_\_  
Chairman House Committee

Originating in the House.

In effect ninety days from passage.

  
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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 19<sup>th</sup>  
day of March, 2010.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 18 2010

Time 3:08p