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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1997



ENROLLED

COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 427

(By Senators *STANBURN, MR. PRESIDENT, AND BUCKALEW,*
By REQUEST OF THE EXECUTIVE)



PASSED April 12, 1997

In Effect July 1, 1997 Passage

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SENATE OF WEST VIRGINIA

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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article three-a, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that sections one and two of said article be amended and reenacted, all to read as follows: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
2 the social and economic well-being of a society and its
3 citizens. Superior teaching is essential to a well educated
4 and productive populace. Strong academic leadership
5 provided by principals and administrators skilled in
6 modern management principles is also essential. The
7 intent of this article is to recognize the value of profes-
8 sional involvement by experienced educators, principals
9 and administrators in building and maintaining a superior
10 force of professional educators and to establish avenues

11 for applying such involvement.

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

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

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

42 The election and appointment of members shall be made
43 as soon as possible after the effective date of this section.
44 Of the initial members from the state board of education,
45 one shall be elected for a term of one year and two shall be
46 elected for terms of two years. All successive elections
47 shall be for two-year terms. The state board of education
48 shall elect another member to fill the unexpired term of
49 any person so elected who subsequently vacates state

50 board membership. Of the initial appointed members,
51 three shall be appointed for one-year terms and three shall
52 be appointed for two-year terms. All successive appoint-
53 ments shall be for two-year terms. The governor shall
54 appoint a new member to fill the unexpired term of any
55 vacancy in the appointed membership.

56 The center for professional development board shall
57 meet at least quarterly and the appointed members shall
58 be reimbursed for reasonable and necessary expenses
59 actually incurred in the performance of their official
60 duties from funds appropriated or otherwise made avail-
61 able for such purposes upon submission of an itemized
62 statement therefor.

63 The secretary of education and the arts, with the advice
64 of the center board, from appropriations to the center for
65 professional development, may employ and fix the com-
66 pensation of an executive director with knowledge and
67 experience in professional development and management
68 principles and such other persons as may be necessary to
69 carry out the mission and duties of the center. When
70 practical, personnel employed by state higher education
71 agencies and state, regional and county public education
72 agencies shall be made available to the center to assist in
73 the operation of projects of limited duration.

74 The center shall assist in the delivery of programs and
75 activities pursuant to this article to meet the local profes-
76 sional development needs of teachers, principals and
77 administrators and may contract with existing agencies or
78 agencies created after the effective date of this section or
79 others to provide training programs in the most efficient
80 manner. Existing programs currently based in agencies of
81 the state shall be continued in the agency of their origin
82 unless the center establishes a compelling need to transfer
83 or cancel the existing program. The center shall recom-
84 mend to the governor the transfer of funds to the provid-
85 ing agency, if needed, to provide programs approved by
86 the center.

87 Pursuant to the provisions of article ten, chapter four of
88 this code, the center for professional development board

89 shall continue to exist until the first day of July, two
90 thousand one.

91 (c) On or before the first day of January, one thousand
92 nine hundred ninety-eight, the center for professional
93 development shall develop and communicate to the state
94 board of education a curriculum for the principals acad-
95 emy. The curriculum shall be based upon the minimum
96 qualities, proficiencies and skills necessary for principals
97 and recommended by the state board, pursuant to the
98 terms of section two-c, article three of this chapter.

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

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

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

1 Through this project the center shall:

2 (1) Identify, coordinate, arrange and otherwise assist in
3 the delivery of professional development programs and
4 activities that help professional educators acquire the
5 knowledge, skills, attitudes, practices and other such
6 pertinent complements deemed essential for an individual
7 to demonstrate appropriate performance as a professional
8 personnel in the public schools of West Virginia. The basis
9 for such performance shall be the laws, policies and

10 regulations adopted for the public schools of West Vir-
11 ginia, and amendments thereto. The center may also
12 permit and encourage school personnel such as classroom
13 aides, higher education teacher education faculty and
14 higher education faculty in programs such as articulated
15 tech prep associate degree and other programs to partici-
16 pate in appropriate professional development programs
17 and activities with public school professional educators;

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

29 (3) Serve in a coordinating capacity to assure that the
30 knowledge, skills, attitude and other pertinent comple-
31 ments of appropriate professional performance which
32 evolve over time in the public school environment are
33 appropriately reflected in the programs approved for the
34 education of professional personnel, including, but not
35 limited to, advising the teacher education programs of
36 major statutory and policy changes in the public schools
37 which affect the job performance requirements of profes-
38 sional educators, including principals and administrators;

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

45 (5) Provide consultation and assistance to county staff
46 development councils established under the provisions of
47 section eight, article three of this chapter in planning,
48 designing, coordinating, arranging for and delivering

49 professional development programs to meet the needs of
50 the professional educators of their district. From legisla-
51 tive appropriations to the center for professional develop-
52 ment, exclusive of such amounts required for the expenses
53 of the principals academy, the center shall, unless other-
54 wise directed by the Legislature, provide assistance in the
55 delivery of programs and activities to meet the expressed
56 needs of the school districts for professional development
57 to help teachers, principals and administrators demon-
58 strate appropriate performance based on the laws, policies
59 and regulations adopted for the public schools of West
60 Virginia.

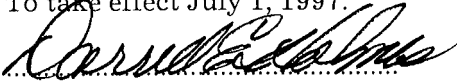
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


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Chairman Senate Committee

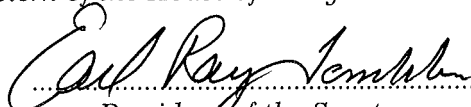

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Chairman House Committee

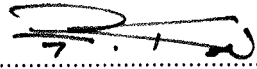
Originated in the Senate.

To take effect July 1, 1997.

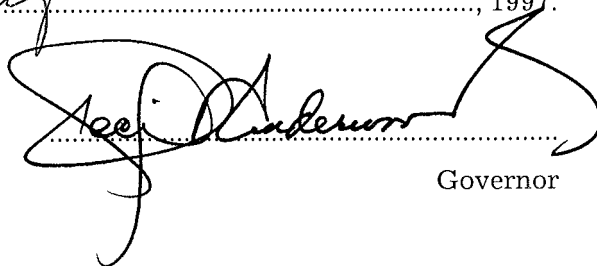

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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within *is approved* this the *5th*.....
day of *May*....., 1997.


.....
Governor

PRESENTED TO THE

GOVERNOR

Date 4/30/97

Time 3:06 pm