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OFFICE WEST VIRGINIA
SECRETARY OF STATE

# **WEST VIRGINIA LEGISLATURE**

**SECOND REGULAR SESSION, 2014** 

# ENROLLED

COMMITTEE SUBSTITUTE FOR

House Bill No. 4228

(By Delegates M. Poling, Perry, Lawrence, Barrett, Young, Tomblin, Barill, Moye, Cambell, Walker and Pethtel)

Passed March 8, 2014

In effect ninety days from passage.



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**COMMITTEE SUBSTITUTE** 

**FOR** 

H. B. 4228

(BY DELEGATES M. POLING, PERRY, LAWRENCE, BARRETT, YOUNG, TOMBLIN, BARILL, MOYE, CAMPBELL, WALKER AND PETHTEL)

[Passed March 8, 2014; in effect ninety days from passage.]

AN ACT to repeal §11-8-16a of the Code of West Virginia, 1931, as amended; to repeal §18-2-17 of said code: to repeal §18-2E-5b and §18-2E-8b of said code; to repeal §18-2G-1, §18-2G-2 and §18-2G-3 of said code; to repeal §18-5-15e and §18-5-38 of said code; to repeal §18-7-1, §18-7-2 and §18-7-3 of said code; to repeal §18-9A-6b, §18-9A-14a and §18-9A-19 of said code; to repeal §18-9C-1, §18-9C-2, §18-9C-3, §18-9C-4, §18-9C-5, §18-9C-6, §18-9C-7 and §18-9C-8 of said code; to repeal §18A-3-1c and §18A-3-1d of said code; to repeal §18A-4-10b and §18A-4-14a of said code; to amend and reenact §18-2-5a and §18-2-13 of said code; to amend and reenact §18-8-1a

of said code; and to amend and reenact §18A-2-12 of said code, all relating to repealing or removing certain portions of educationrelated statutes that are no longer applicable or are expired; repealing the authorization for county boards of education with an excess levy in effect prior to Better Schools Amendment to propose an additional excess levy not exceeding one hundred percent and a period of five years; repealing an expired pilot program for the delivery of leftover foods from schools and penal institutions; repealing expired provisions for review of system of education performance audits; repealing an expired requirement for audit of state board policies; repealing the library media improvement grant program; repealing an expired requirement for study on school equity; repealing an expired provision governing county board meetings; repealing an adult literacy education program financed, in part, by a voluntary state income tax return check-off; repealing the appropriation and allocation, up to \$7 million, due to the increase in local share to Teachers Retirement System; repealing the incentive for administrative efficiency in public schools and its associated funding to the county boards of education; repealing a requirement for county boards of education to request funds to which they may be entitled; repealing the Better School Buildings Amendment and associated funding to county boards of education; repealing an expired study on training, certification, licensure and retraining of teachers; repealing a study of alternative certification programs that was required to be submitted to the Legislative Oversight Commission on Education Accountability by December 31, 2013; repealing the requirement to record and distribute exemplary teaching techniques and its associated bonuses to certain teachers; repealing an expired study on daily planning periods; providing that the State Board of Education need only file a single copy of a proposed rule with the Legislative Oversight Commission; removing the requirement that the State Board of Education contract with an independent agency to evaluate the results of character education and biannual reporting; changing the requirement from a school-by-school to a countywide plan for provision of technology and services to students as part of the twenty-first century strategic learning plan; removing the requirement for semiannual reporting on the effect of the increased compulsory attendance age of students and the progress the state and county boards have made in implementing its associated requirements; and clarifying that the written evaluation system for employment performance of personnel must be conducted at least annually on professional personnel and removing related transitional language.

### Be it enacted by the Legislature of West Virginia:

That §11-8-16a of the Code of West Virginia. 1931, as amended, be repealed; that §18-2-17 of said code be repealed; that §18-2E-5b and §18-2E-8b of said code be repealed; that §18-2G-1, §18-2G-2 and §18-2G-3 of said code be repealed; that §18-5-15e and §18-5-38 of said code be repealed; that §18-7-1, §18-7-2 and §18-7-3 of said code be repealed; that §18-9A-6b, §18-9A-14a and §18-9A-19 of said code be repealed; that §18-9C-1, §18-9C-2, §18-9C-3, §18-9C-4, §18-9C-5, §18-9C-6, §18-9C-7 and §18-9C-8 of said code be repealed; that §18A-3-1d of said code be repealed; that §18A-4-10b and §18A-4-14a of said code be repealed; that §18-2-5a and §18-2-13 of said code be amended and reenacted; that §18-2E-7 of said code be amended and reenacted, and that §18A-2-12 of said code be amended and reenacted all to read as follows:

### CHAPTER 18. EDUCATION.

### ARTICLE 2. STATE BOARD OF EDUCATION.

### §18-2-5a. Board rules to be filed with Legislature.

- 1 The State Board of Education shall file a copy of any rule
- 2 that it proposes to promulgate, adopt, amend or repeal under the
- 3 authority of the Constitution or of this code with the Legislative
- 4 Oversight commission on education accountability pursuant to
- 5 article three-b, chapter twenty-nine-a of this code. "Rule," as

- 6 used herein, means a regulation, standard, statement of policy,
- 7 or interpretation of general application and future effect.

### §18-2-13. Character education integration.

- 1 (a) The state board shall establish a comprehensive approach
- 2 to integrate character education into all aspects of school culture,
- 3 school functions and existing curriculum.
- 4 (b) The state board shall require all public schools that
- 5 operate from preschool to grade twelve to develop and integrate
- 6 components of character development into their existing
- 7 curriculum. The schools may incorporate such programs as "life
- 3 skills", "responsible students", or any other program
- 9 encompassing any of the following components:
- 10 (1) Honesty;
- 11 (2) Caring;
- 12 (3) Citizenship;
- 13 (4) Justice;
- 14 (5) Fairness;
- 15 (6) Respect;
- 16 (7) Responsibility;
- 17 (8) Voting;
- 18 (9) Academic achievement:
- 19 (10) Completing homework assignments;
- 20 (11) Improving daily attendance;
- 21 (12) Avoiding and resolving conflicts;

- 22 (13) Alternatives to violence;
- 23 (14) Contributing to an orderly positive school environment;
- 24 (15) Participating in class;
- 25 (16) Resisting social peer pressures to smoke, drink and use
- 26 drugs;
- 27 (17) Developing greater self-esteem and self-confidence;
- 28 (18) Effectively coping with social anxiety;
- 29 (19) Increasing knowledge of the immediate consequences
- 30 of substance abuse:
- 31 (20) Increasing knowledge of the consequences of ones
- 32 actions:
- 33 (21) The corrupting influence and chance nature of
- 34 gambling; and
- 35 (22) The value of decent, honest work.
- 36 (c) Character education shall be integrated into each public
- 37 school curriculum by September 1, 2001.
- 38 (d) The state board shall assist county boards in developing
- 39 in-service training regarding integrated character education as
- 40 provided in this section.
- 41 (e) The State Department of Education is encouraged to
- 42 utilize any existing moneys available to the department for
- 43 existing character development programs, along with any new
- 44 funds appropriated for the purposes of this section, to secure the
- 45 maximum amount of any federal funding available for which the
- 46 state department is eligible to receive for implementing character
- 47 development in the schools.

### ARTICLE 2E. HIGH QUALITY EDUCATIONAL PROGRAMS.

# §18-2E-7. Providing for twenty-first century instruction and learning in all public schools.

- 1 (a) The Legislature finds that:
- 2 (1) The knowledge and skills children need to succeed in the
- 3 twenty-first century are changing dramatically and that West
- 4 Virginia students must develop proficiency in twenty-first
- 5 century content, technology tools and learning skills to succeed
- 6 and prosper in life, in school and on the job;
- 7 (2) Students must be equipped to live in a multitasking.
- 8 multifaceted, technology-driven world;
- 9 (3) The provision of twenty-first century technologies and
- 10 software resources in grades prekindergarten through twelve is
- 11 necessary to meet the goal that high school graduates will be
- 12 prepared fully for college, other post-secondary education or
- 13 gainful employment;
- 14 (4) This goal reflects a fundamental belief that the youth of
- 15 the state exit the system equipped with the skills, competencies
- 16 and attributes necessary to succeed, to continue learning
- 17 throughout their lifetimes and to attain self-sufficiency;
- 18 (5) To promote twenty-first century learning, teachers must
- 19 be competent in twenty-first century content and learning skills
- 20 and must be equipped to fully integrate technology to transform
- 21 instructional practice and to support twenty-first century skills
- 22 acquisition;
- 23 (6) For students to learn twenty-first century skills, students
- 24 and teachers must have equitable access to high quality, twenty-
- 25 first century technology tools and resources;
- 26 (7) When aligned with standards and curriculum,
- 27 technology-based assessments can be a powerful tool for
- 28 teachers: and

29 (8) Teachers must understand how to use technology to create classroom assessments for accurate, timely measurements 31 of student proficiency in attainment of academic content and 32 twenty-first century skills.

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33 (b) The state board shall ensure that the resources to be used 34 to provide technology services to students in grades 35 prekindergarten through twelve are included in a West Virginia 36 21st Century Strategic Technology Learning Plan to be 37 developed by the Department of Education as an integral 38 component of the county electronic strategic improvement plan 39 required in section five of this article. The provision of 40 technologies and services to students and teachers shall be based 41 on a county technology plan developed by a team that includes 42 school building-level professional educators and is aligned with 43 the goals and objectives of the West Virginia 21st Century 44 Strategic Technology Learning Plan. This plan shall be an 45 integral component of the county electronic strategic 46 improvement plan as required in section five of this article. 47 Funds shall be allocated equitably to county school systems 48 following peer review of the plans that includes providing 49 necessary technical assistance prior to submission and allows 50 timely review and approval by the West Virginia Department of 51 Education. Technology tools, including hardware, software, 52 network cabling, network electronics and related professional development, shall be purchased pursuant to the provisions of article three, chapter five-a of this code in the amount equal to 55 anticipated revenues being appropriated and based on the 56 approved county plans. County allocations that support this 57 legislation shall adhere to state contract prices: *Provided*, That 58 contingent upon approval of the county technology plan, 59 counties that identify, within that plan, specific software or 60 peripheral equipment not listed on the state contract, but 61 necessary to support implementation of twenty-first century 62 skills, may request the West Virginia Department of Education 63 to secure state purchasing prices for those identified items. Total 64 expenditure to purchase these additional items may not exceed

- ten percent of the annual county allocation. To the extent practicable, the technology shall be used:
- (1) To maximize student access to learning tools and resources at all times including during regular school hours, before and after school or class, in the evenings, on weekends and holidays and for public education, noninstructional days and during vacations; and
- 72 (2) For student use for homework, remedial work, 73 independent learning, career planning and adult basic education.
- 74 (c) The implementation of this section should provide a 75 technology infrastructure capable of supporting multiple 76 technology-based learning strategies designed to enable students 77 to achieve at higher academic levels. The technology 78 infrastructure should facilitate student development by 79 addressing the following areas:
- (1) Mastery of rigorous core academic subjects in grades prekindergarten through eight by providing software, other technology resources or both aligned with state standards in reading, mathematics, writing, science, social studies, twenty-first century learning skills and twenty-first century learning tools;
- 86 (2) Mastery of rigorous core academic subjects in grades 87 nine through twelve by providing appropriate twenty-first 88 century technology tools aligned with state standards for 89 learning skills and technology tools;
- 90 (3) Attainment of twenty-first century skills outcomes for all students in the use of technology tools and learning skills;
- 92 (4) Proficiency in new, emerging twenty-first century 93 content:
- 94 (5) Participation in relevant, contextual instruction that uses 95 dynamic, real-world contexts that are engaging and meaningful

- 96 for students, making learning relevant to life outside of school
- 97 and bridging the gap between how students live and how they
- 98 learn in school;
- 99 (6) Ability to use digital and emerging technologies to 100 manage information, communicate effectively, think critically, 101 solve problems, work productively as an individual and 102 collaboratively as part of a team and demonstrate personal 103 accountability and other self-directional skills;
- (7) Providing students with information on post-secondary educational opportunities, financial aid and the skills and credentials required in various occupations that will help them better prepare for a successful transition following high school;
- 108 (8) Providing greater access to advanced and other curricular 109 offerings than could be provided efficiently through traditional 110 on-site delivery formats, including increasing student access to 111 quality distance learning curricula and online distance education 112 tools:
- 113 (9) Providing resources for teachers in differentiated 114 instructional strategies, technology integration, sample lesson 115 plans, curriculum resources and online staff development that 116 enhance student achievement; and
- 117 (10) Providing resources to support basic skills acquisition 118 and improvement at the above mastery and distinguished levels.
- 119 (d) Developed with input from appropriate stakeholder 120 groups, the West Virginia 21st Century Strategic Technology 121 Learning Plan shall be an integral component of the electronic 122 strategic county improvement plan as required in section five of 123 this article. The West Virginia 21st Century Strategic 124 Technology Learning Plan shall be comprehensive and shall 125 address, but not necessarily be limited to, the following 126 provisions:

- (1) Allocation of adequate resources to provide students with equitable access to twenty-first century technology tools, including instructional offerings and appropriate curriculum, assessment and technology integration resources aligned to both the content and rigor of state content standards as well as to learning skills and technology tools;
- 133 (2) Providing students and staff with equitable access to a
  134 technology infrastructure that supports the acquisition of twenty135 first century skills, including the ability to access information,
  136 solve problems, communicate clearly, make informed decisions,
  137 acquire new knowledge, construct products, reports and systems
  138 and access online assessment systems;
- 139 (3) Inclusion of various technologies that enable and 140 enhance the attainment of twenty-first century skills outcomes 141 for all students;
- (4) Collaboration with various partners, including parents,
   143 community organization, higher education, schools of education
   144 in colleges and universities, employers and content providers;
- 145 (5) Seeking of applicable federal government funds, 146 philanthropic funds, other partnership funds or any combination 147 of those types of funds to augment state appropriations and 148 encouraging the pursuit of funding through grants, gifts, 149 donations or any other sources for uses related to education 150 technology;
- 151 (6) Sufficient bandwidth to support teaching and learning and to provide satisfactorily for instructional management needs;
- 153 (7) Protection of the integrity and security of the network, as well as student and administrative workstations:
- 155 (8) Flexibility to adjust the plan based on developing 156 technology, federal and state requirements and changing local 157 school and county needs;

- 158 (9) Incorporation of findings based upon validation from 159 research-based evaluation findings from previous West Virginia-160 based evaluation projects;
- 161 (10) Continuing study of emerging technologies for 162 application in a twenty-first century learning environment and 163 inclusion in the technology plan, as appropriate;
- 164 (11) An evaluation component to determine the effectiveness 165 of the program and make recommendations for ongoing 166 implementation;
- (12) A program of embedded, sustained professional development for teachers that is strategically developed to support a twenty-first century education for all students and that aligns with state standards for technology, integrates twenty-first century skills into educational practice and supports the implementation of twenty-first century software, technology and assessment resources in the classroom;
- 174 (13) Providing for uniformity in technological hardware and software standards and procedures;
- 176 (14) The strategy for ensuring that the capabilities and 177 capacities of the technology infrastructure is adequate for 178 acceptable performance of the technology being implemented in 179 the public schools;
- 180 (15) Providing for a comprehensive, statewide uniform, 181 integrated education management and information system for 182 data collection and reporting to the Department of Education as 183 provided in section twenty-six, article two of this chapter and 184 commonly referred to as the West Virginia Education 185 Information System;
- 186 (16) Providing for an effective model for the distance 187 delivery, virtual delivery or both types of delivery of instruction 188 in subjects where there exists low student enrollment or a 189 shortage of certified teachers or where the delivery method

- 190 substantially improves the quality of an instructional program
- 191 such as the West Virginia Virtual School;
- 192 (17) Providing a strategy to implement, support and maintain
- 193 technology in the public schools;
- 194 (18) Providing a strategy to provide ongoing support and
- 195 assistance to teachers in integrating technology into twenty-first
- 196 century instruction such as with technology integration
- 197 specialists;
- 198 (19) A method of allowing public education to take
- 199 advantage of appropriate bulk purchasing abilities and to
- 200 purchase from competitively bid contracts initiated through the
- 201 southern regional education board educational technology
- 202 cooperative and the America TelEdCommunications Alliance;
- 203 (20) Compliance with United States Department of
- 204 Education regulations and Federal Communications Commission
- 205 requirements for federal E-rate discounts; and
- 206 (21) Other provisions as considered appropriate, necessary
- 207 or both to align with applicable guidelines, policies, rules,
- 208 regulations and requirements of the West Virginia Legislature,
- 209 the board of Education and the Department of Education.
- 210 (e) Any state code and budget references to the Basic
- 211 Skills/Computer Education Program and the SUCCESS Initiative
- 212 will be understood to refer to the statewide technology initiative
- 213 referenced in this section, commonly referred to as the 21st
- 214 Century Tools for 21st Century Schools Technology Initiative.

#### ARTICLE 8. COMPULSORY SCHOOL ATTENDANCE.

- §18-8-1a. Commencement and termination of compulsory school attendance; public school entrance requirements; exceptions.
  - 1 (a) Notwithstanding the provisions of section one of this
  - 2 article, compulsory school attendance begins with the school

- 3 year in which the sixth birthday is reached prior to September 1
- 4 of such year or upon enrolling in a publicly supported
- 5 kindergarten program and, subject to subdivision (3) of this
- subsection, continues to the sixteenth birthday or for as long as
- 7 the student continues to be enrolled in a school system after the
- 8 sixteenth birthday.
- 9 (1) A child may be removed from such kindergarten program
- 10 when the principal, teacher and parent or guardian concur that
- 11 the best interest of the child would not be served by requiring
- 12 further attendance: Provided, That the principal shall make the
- 13 final determination with regard to compulsory school attendance
- in a publicly supported kindergarten program.
- 15 (2) The compulsory school attendance provision of this
- 16 article shall be enforced against a person eighteen years of age
- 17 or older for as long as the person continues to be enrolled in a
- 18 school system, and may not be enforced against the parent,
- 19 guardian, or custodian of the person.
- 20 (3) Beginning with the 2011-2012 high school freshman
- 21 cohort class of students, and notwithstanding the provisions of
- 22 section one of this article, compulsory school attendance begins
- 23 with the school year in which the sixth birthday is reached prior
- 24 to September 1 of such year or upon enrolling in a publicly
- 25 supported kindergarten program and continues to the seventeenth
- 26 birthday or for as long as the student continues to be enrolled in
- 27 a school system after the seventeenth birthday.
- 28 (b) Attendance at a state-approved or Montessori
- 29 kindergarten, as provided in section eighteen, article five of this
- 30 chapter, is deemed school attendance for purposes of this
- 31 section. Prior to entrance into the first grade in accordance with
- 32 section five, article two of this chapter, each child must have
- 33 either:
- 34 (1) Successfully completed such publicly or privately
- 35 supported, state-approved kindergarten program or Montessori
- 36 kindergarten program; or

- 37 (2) Successfully completed an entrance test of basic
- 38 readiness skills approved by the county in which the school is
- 39 located. The test may be administered in lieu of kindergarten
- 40 attendance only under extraordinary circumstances to be
- 41 determined by the county board.
- 42 (c) Notwithstanding the provisions of this section and of
- 43 section five, article two of this chapter and section eighteen,
- 44 article five of this chapter, a county board may provide for
- 45 advanced entrance or placement under policies adopted by said
- 46 board for any child who has demonstrated sufficient mental and
- 47 physical competency for such entrance or placement.
- 48 (d) This section does not prevent a student from another state
- 49 from enrolling in the same grade in a public school in West
- 50 Virginia as the student was enrolled at the school from which the
- 51 student transferred.

### CHAPTER 18A. SCHOOL PERSONNEL.

#### ARTICLE 2. SCHOOL PERSONNEL.

- §18A-2-12. Performance evaluations of school personnel; professional personnel evaluation process; restrictions on requirements on lesson plans and record keeping by classroom teachers.
  - 1 (a) The state board shall adopt a written system for the
  - 2 evaluation of the employment performance of personnel, which
  - 3 system shall be applied uniformly by county boards in the
  - 4 evaluation of the employment performance of personnel
  - 5 employed by the board.
  - 6 (b) The system adopted by the state board for evaluating the
  - 7 employment performance of professional personnel shall be in
  - 8 accordance with the provisions of this section.
  - 9 (c) For purposes of this section, "professional personnel",
  - 10 "professional" or "professionals", means professional personnel

- 11 and other professional employees, as defined in section one,
- 12 article one of this chapter but does not include classroom
- 13 teachers, principals and assistant principals subject to the
- evaluation processes established pursuant to section two, article
- 15 three-c of this chapter.
- 16 (d) In developing the professional personnel performance 17 evaluation system, and amendments thereto, the state board shall consult with the Center for Professional Development created in 18 19 article three-a of this chapter. The center shall participate actively with the state board in developing written standards for 20 evaluation which clearly specify satisfactory performance and 21 22 the criteria to be used to determine whether the performance of 23 each professional meets those standards.
- (e) The performance evaluation system shall contain, but not
  be limited to, the following information:
- 26 (1) The professional personnel positions to be evaluated;
- 27 (2) The frequency and duration of the evaluations, which 28 shall be of such frequency and duration as to insure the 29 collection of a sufficient amount of data from which reliable 30 conclusions and findings may be drawn, but at least annually;
- 31 (3) The evaluation shall serve the following purposes:
- 32 (A) Serve as a basis for the improvement of the performance 33 of the personnel in their assigned duties;
- 34 (B) Provide an indicator of satisfactory performance for individual professionals;
- (C) Serve as documentation for a dismissal on the groundsof unsatisfactory performance; and
- 38 (D) Serve as a basis for programs to increase the 39 professional growth and development of professional personnel;

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- 40 (4) The standards for satisfactory performance for 41 professional personnel and the criteria to be used to determine 42 whether the performance of each professional meets those 43 standards and other criteria for evaluation for each professional 44 position evaluated. Professional personnel, as appropriate, shall 45 demonstrate competency in the knowledge and implementation 46 of the technology standards adopted by the state board. If a 47 professional fails to demonstrate competency in the knowledge 48 and implementation of these standards, he or she will be subject 49 to an improvement plan to correct the deficiencies; and
- 50 (5) Provisions for a written improvement plan, which shall 51 be specific as to what improvements, if any, are needed in the 52 performance of the professional and shall clearly set forth 53 recommendations for improvements, including recommendations 54 for additional education and training during the professional's 55 recertification or license renewal process.
- (f) A professional whose performance is considered to be 57 unsatisfactory shall be given notice of deficiencies. A 58 remediation plan to correct deficiencies shall be developed by 59 the employing county board and the professional. The 60 professional shall be given a reasonable period of time for remediation of the deficiencies and shall receive a statement of 61 62 the resources and assistance available for the purposes of 63 correcting the deficiencies.
- (g) No person may evaluate professional personnel for the purposes of this section or professional educator for the purposes of section two, article three-c of this chapter unless the person has an administrative certificate issued by the state superintendent and has successfully completed education and training in evaluation skills through the center for professional 70 development, or equivalent education training approved by the state board, which will enable the person to make fair, professional, and credible evaluations of the personnel whom the person is responsible for evaluating. After July 1, 1994, no

- person may be issued an administrative certificate or have an administrative certificate renewed unless the state board determines that the person has successfully completed education and training in evaluation skills through the center for professional development or equivalent education and training approved by the state board.
- 80 (h) Any professional whose performance evaluation includes 81 a written improvement plan shall be given an opportunity to 82 improve his or her performance through the implementation of 83 the plan. If the next performance evaluation shows that the 84 professional is now performing satisfactorily, no further action 85 may be taken concerning the original performance evaluation. If 86 the evaluation shows that the professional is still not performing 87 satisfactorily, the evaluator either shall make additional 88 recommendations for improvement or may recommend the 89 dismissal of the professional in accordance with the provisions 90 of section eight of this article.
- 91 (i) This subsection applies to all classroom teachers 92 irrespective of the process under which they are evaluated.
- 93 (1) Lesson plans are intended to serve as a daily guide for 94 teachers and substitutes for the orderly presentation of the 95 curriculum. Lesson plans may not be used as a substitute for 96 observations by an administrator in the performance evaluation 97 process. A classroom teacher, as defined in section one, article 98 one of this chapter, may not be required to post his or her lesson 99 plans on the Internet or otherwise make them available to 100 students and parents or to include in his or her lesson plans any 101 of the following:
- 102 (A) Teach and reteach strategies;
- 103 (B) Write to learn activities;
- 104 (C) Cultural diversity;

- 105 (D) Color coding; or
- 106 (E) Any other similar items which are not required to serve as a guide to the teacher or substitute for daily instruction;
- 108 (2) The Legislature finds that classroom teachers must be 109 free of unnecessary paper work so that they can focus their time 110 on instruction. Therefore, classroom teachers may not be 111 required to keep records or logs of routine contacts with parents 112 or guardians;
- (3) Nothing in this subsection may be construed to prohibit classroom teachers from voluntarily posting material on the Internet; and
- 116 (4) Nothing in article three-c of this chapter may be construed to negate the provisions of of this subsection.

# 19 [Enr. Com. Sub. For H. B. No. 4228

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled. Chairman, House Committee Senate Committee Originating in the House. In effect ninety days fom passage. Clerk of the Senate Speakelof of Delegates ent of the Senate this the 315-The within in Copprosed\_ . 2014. day of Manch

### PRESENTED TO THE GOVERNOR

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