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H. B. 2387

(By Delegates Pasdon, Statler, Rowan, Romine, Ambler
and Espinosa)

[Introduced January 27, 2015; referred to the
Committee on Education.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-36, relating to a framework for initiating comprehensive transformation of school leadership; making legislative findings that provide a context for leadership that promotes instructional improvement; stating purpose of section as framework for development of needed statutory and policy changes; stating further purpose to initiate transformation through general statement of legislative intent; providing certain expectations; stating intent for process of broad stakeholder input; requiring convening of stakeholders to assist state board; listing minimum issues to be considered for state recommendations; and requiring reports and recommendations to Legislature and Governor.

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 §18-2-36, to read as follows:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-36. Framework for initiating comprehensive transformation of school leadership.

1 (a) Legislative findings.

2 (1) The report and recommendations of Imagine West Virginia on Transforming School
3 Leadership in West Virginia are clearly on point that school leadership and the essential role of the
4 principal in achieving a high performing school are well documented, long studied and too often set
5 aside. The report and recommendations also clearly recognize the value of providing teachers with
6 authentic opportunities and resources to lead, influence professional practice, and assume shared
7 responsibility for school and classroom improvement. The recommendations related to school
8 leadership, the role, preparation and selection of the principal and a career ladder for teacher leaders
9 once again bring the importance of strong school-level instructional leadership, including
10 mechanisms for career advancement for teachers in leadership roles, to the forefront of discussions
11 on school improvement. The state board posted the report recommendations for comment with the
12 intent of providing a starting point for deeper deliberation and stakeholder input.

13 (2) Among the general conclusions of the Education Efficiency Audit of West Virginia's
14 Primary and Secondary Education System is the need to drive more educational decision-making
15 down to the level closest to the students, to the classroom and building level, allowing principals to
16 lead and teachers to deliver the most effective curriculum for their students, and then holding them
17 accountable for student success. Such a system heightens the imperative for strong school
18 leadership. The school climate and culture observed in high quality schools reflects strong
19 leadership that develops shared beliefs and values among the staff, high expectations for all, and a
20 safe, orderly and engaging environment. A key concept in developing good school leadership and
21 then holding schools accountable for student performance is that they have the authority, resources
22 and flexibility to affect the outcome.

1 (3) An increasing body of knowledge concludes that unless teachers are collectively involved
2 in the planning and implementation of school improvement, it is unlikely to be sustained. Successful
3 schools are distinguishable from unsuccessful ones by the frequency and extent to which teachers
4 discuss professional practices, collectively design materials and inform and critique one another.
5 Even successful schools must be self-renewing systems, learning organizations marked by deliberate
6 effort to identify helpful knowledge and spread its use within the organization. Again, leadership
7 by the principal combined with authentic roles for teacher leaders are necessary ingredients.

8 (4) The school responsibilities for accreditation adopted by the state board to implement West
9 Virginia's performance based accreditation system embodied in section five, article two-e of this
10 chapter, the Process for Improving Education, include a collective and collaborative process for
11 continuous school improvement led by the principal. The process includes data analysis, goal
12 setting, strategic planning, progress review and results analysis. It includes identifying what and
13 where improvement is needed, establishing goals and a strategic plan for improved student learning,
14 defining the roles and responsibilities of all team members, securing the professional development
15 if needed to achieve the goals, and sharing the responsibility and rewards for the results. The
16 principal must foster and develop distributed leadership in order to focus collective action for
17 improved school performance. The school's faculty and members of the Local School Improvement
18 Council must participate effectively in the self-assessment and annual and cyclical reviews of school
19 performance to effect a process of continuous improvement.

20 (5) The prior studies and Imagine WV report in which they are cited recognize that the job
21 of principal has become overwhelming. The report focuses on instructional leadership as the most
22 important role of the principal, but notes that it has become a less prominent function in the overall

1 job of being a principal. The diminished time devoted to instructional leadership has been a gradual
2 crowding out by other necessary functions, rather than a conscience choice. Just as important for
3 high performing schools is the strong leadership role necessary for operations management,
4 establishing the climate and culture of the school as a learning environment, and instructional
5 leadership. All require strong leadership skills, but in a different context. They require different
6 skill sets, all of which are needed to lead high quality schools. The reality, however, is that these
7 many responsibilities inherent in the operation of high quality school compete for time and it is
8 difficult for principals to do them all well. Various scenarios have been discussed for enabling a
9 heightened focus on instructional leadership, including the introduction of school manager positions
10 or the broader use of assistant principals in all schools to allow greater principal attention to
11 instructional improvement. A further scenario builds upon the research that high quality schools are
12 distinguishable by the collective and collaborative involvement of teachers in sustained school
13 improvement. It brings a heightened focus on instructional leadership to assist, and under direction
14 of, the principal by providing authentic opportunities for teacher leaders to participate and assume
15 greater responsibility. This scenario involves various approaches to reward excellent teaching,
16 provide time necessary for excellent teachers to lead instructional improvement, and enable excellent
17 teachers to advance in their teaching careers and compensation in instructional leadership positions
18 without leaving the classroom completely.

19 (6) Emerging research and policy direction toward distributed leadership and shared
20 responsibility for results as cited in these findings, elevate the focus for all teachers on instructional
21 improvement, and particularly for excellent teachers to assume instructional leadership roles. In
22 most schools today, excellent teachers rarely have authority, time, or sustained incentives to lead

1 while teaching. Developing models for new teacher induction and mentoring for struggling teachers,
2 and for teacher collaboration on instructional improvement all involve a role for teacher leaders. As
3 professional educators, teachers should have an established structure through which they can advance
4 their careers as instructional leaders without leaving classroom teaching completely. Like other
5 professionals, teachers should be afforded an opportunity to take on more responsibility, share their
6 expertise with other less experienced teachers and advance their teaching career as teacher leaders.
7 Like other professions, teaching should provide for a routine progression of continuing education
8 for license maintenance and opportunities for salary advancement as additional knowledge, skill and
9 expertise are acquired that directly affect student learning. Examples of the current leadership roles
10 that may be performed by teachers include serving on the school leadership team, leading collective
11 and collaborative processes for strategic improvement planning, leading teacher collaboration and
12 establishing time for collaboration within the school day, leading the faculty senate, serving on the
13 local school improvement council, supervising student teachers, serving as mentors and models for
14 new and struggling teachers and teachers-in-residence, and helping arrange school level professional
15 development. Ideally, in an opportunity culture for teachers, career paths and teacher pay will
16 recognize and reward the value of excellent teaching and teacher leadership roles for extending
17 excellent teaching to all students consistently.

18 (7) Education is a human resources intensive endeavor. It competes for talented professionals
19 with other occupations with higher levels of compensation, particularly in the STEM fields. While
20 opportunities for career advancement and added compensation for teachers under career ladder type
21 arrangements may improve the attractiveness of the profession for excellent teachers, it will not
22 replace the need for general salary increases. In West Virginia and nationally, the enrollments in

1 college and university teacher preparation programs are declining. For West Virginia particularly,
2 the need to recruit and retain excellent teachers is exacerbated by the increasing numbers of
3 retirements of a very senior teaching force. Increasingly important will be a variety of methods for
4 encouraging and supporting an interest in the teaching profession, preparing the next generation of
5 educators, actively recruiting top talent graduating from teacher preparation programs and supporting
6 their development through the first years of their careers. In the human resources intensive business
7 of education, human resource development should not be left to chance.

8 *(b) Legislative purpose, intent, process for stakeholder input; items for recommendation.*

9 (1) The purpose of this section is to provide a framework for development of the statutory
10 and policy changes needed to support and sustain a comprehensive transformation of school
11 leadership. A further purpose of this section is to initiate the comprehensive transformation of
12 school leadership through a general statement of legislative intent to pursue this change in public
13 policy and, thereby, provide assurances and parameters under which the work toward this change
14 may proceed. It is expected that the transformation will affect both the public education system and
15 the educator preparation programs at institutions of higher education to develop, prepare and
16 credential teacher, principal and administrative leaders to accomplish a systemic change in school
17 leadership. It is expected that the transformation will involve multiple, and in some cases sequential,
18 steps that may require a period of years to accomplish to ensure that the necessary supports are in
19 place to enable school leaders to meet the expectations of new roles and responsibilities and to
20 finance the necessary improvements.

21 (2) It is further expected that the transformation will involve roles and responsibilities for
22 leadership that may not match the certification and training of all of those currently in leadership

1 positions. Therefore, the options for implementation will need to take the existing legacy into
2 account to minimizing cost and system disruption while bringing new models of leadership for
3 instructional improvement to every school expeditiously. Finally, it is expected that district size and
4 resources, school size and programmatic level, existing leadership positions, and differences in
5 school performance may all be factors that will affect the transformation of school leadership within
6 the various school systems and they should be afforded ample local flexibility for establishing
7 priorities and implementation within their schools.

8 (3) The findings set forth in subsection (a) of this section provide a context for considering
9 a leadership framework that promotes instructional improvement and for determining the statutory
10 and policy changes needed to enable it. It is the intent of the Legislature to begin this transformation
11 through a process of broad stakeholder input to consider and make recommendations to accomplish
12 this task. Therefore, the state board shall convene the relevant stakeholders, including, but not
13 limited to, principals, teachers, superintendents, county board members, educator preparation
14 program personnel, legislators or their designees and a Governor's designee to assist the state board
15 in developing state board policies, practices and recommended statutory changes consistent with the
16 findings of this section. Among the issues the state board will consider are:

17 (A) Issues relating to principal leadership include, but are not limited to, the following:

18 (i) A clear definition of the role and responsibilities of principals and assistant principals in
19 statute and policy that include leadership for instructional improvement;

20 (ii) The role and responsibilities of the principal as the legally responsible party in charge of
21 the school with the added need for authority and flexibility to delegate responsibilities to accomplish
22 a distributed leadership model for instructional improvement;

1 (iii) Leadership standards that include the essential role of the principal for leadership in
2 developing a culture of collegiality and professionalism among the staff so that improving student
3 learning is a shared responsibility;

4 (iv) The scope of topics to be covered in the preparation programs and certifications for
5 principals and assistant principals;

6 (v) A process of preparing new principals that may include clinical experiences and
7 mentoring through a partnership between higher education and county boards. It may include a
8 commitment of county board resources to assist in the training, as well as a commitment from the
9 candidate to stay in the system for some period of time;

10 (vi) The additional school-level tools needed to give good principals the flexibility and
11 authority necessary for success, including additional independent, school-level authority needed to
12 adequately fulfill the responsibilities;

13 (vii) A method of implementation under which the capacity of the principal for leading is a
14 condition precedent to implementation of methods for distributed leadership;

15 (viii) Limitations on the employment of new principals to those candidates prepared and
16 credentialed under the new standards, or some comparable standards approved by the state board,
17 and limitations on the applicability of Master's degrees in education administration for advanced
18 salary classification if earned after a certain date following state board approval of a new preparation
19 program; and

20 (ix) Differentiation and improvements in the salary schedules and increments for principals
21 subject to the newly defined roles and responsibilities for school leadership.

22 (B) Issues relating to teacher leadership include, but are not limited to, the following:

1 (i) Various approaches that reward excellent teaching, provide authentic opportunities for
2 excellent teachers to influence professional practice and enable excellent teachers to advance in their
3 teaching careers and compensation without leaving the classroom completely include, but are not
4 limited to, incentive increments, career lattice steps and career ladder positions;

5 (ii) Incentive increments that provide additional increments in the salary scale for advanced
6 degrees, approved course work or advanced certification in the teacher’s area of certification and for
7 excellent teaching;

8 (iii) Career lattice steps that provide extra pay and/or extra time for teachers for specific types
9 of assignments made by the principal or, in some cases, by the faculty senate for instructional and
10 school improvement. These will not be a permanent step and may change or involve different
11 teachers and team members from time to time depending on the needs of the school and the ability
12 of teachers to participate;

13 (iv) Career ladder steps that are permanent steps for master teachers who possess the
14 appropriate leadership certification to progress in teacher leadership positions with additional
15 compensation and reduced teaching load to assume duties under the direction of the principal
16 without leaving the classroom completely;

17 (v) A clear definition in statute and policy of the role and responsibilities of career ladder
18 teacher leaders that includes leadership for instructional improvement;

19 (vi) Career ladder teacher leader standards that include the essential role of leadership in
20 developing a culture of collegiality and professionalism among the staff so that improving student
21 learning is a shared responsibility;

22 (vii) The scope of topics to be covered in the preparation programs and certifications for

1 career ladder teacher leaders;

2 (viii) Limitations for the number of teachers in career lattice positions and for the number of
3 teachers in career ladder positions, separately, for schools of different size and programmatic level;
4 and

5 (ix) An additional incentive increment in the salary scale for excellent teachers and principals
6 who accept transfer to a low performing school for a certain number of years.

7 (C) Issues relating to a leadership development pipeline include, but are not limited to, the
8 following:

9 (i) A comprehensive leadership development process for school systems to identify, recruit
10 and train outstanding leadership candidates consistent with numbers needed to meet the projected
11 needs of the school system;

12 (ii) A method for school-level identification of those teachers who most clearly demonstrate
13 budding leadership qualities as potential candidates for development into the career ladder teacher
14 leaders, assistant principals and principals of the future;

15 (iii) Appropriate school district and higher education partnerships for preparation, support
16 and credentialing at each step so the focus on instructional leadership will become pervasive; and

17 (iv) Allowances that may be necessary to fill positions during the transition to new leadership
18 models.

19 (D) Issues related to local and state systems of support include, but are not limited to, the
20 following:

21 (i) Information management tools that enhance the capacity of school leaders and leadership
22 teams to quickly assemble performance information on student learning and other aspects of the

- 1 school's learning environment into the actionable intelligence needed for strategic planning,
2 adjusting instructional strategies and focusing on individual student needs;
- 3 (ii) School-level tools or resources that give principals a flexible, timely and targeted way
4 to meet the professional development needs of teachers at their school;
- 5 (iii) Methods to help ensure the uniformity and inter-rater reliability of the portion of the
6 professional personnel performance evaluation based on teaching standards;
- 7 (iv) Additional state-level infrastructure that may be needed to support the additional
8 credentialing and monitoring of course work and degree attainment for salary progressions and new
9 leadership positions;
- 10 (v) Methods to support, encourage and facilitate school-level leadership for instructional
11 improvement, to endorse and encourage innovation to improve the success of all students rather than
12 rely on top-down enforcement of one size fits all approaches to education; and
- 13 (vi) Methods to establish an emphasis on human resource management including, but not
14 limited to, approaches to improve the position posting and recruitment of new graduates for shortage
15 area positions, and improving the retention of new professional personnel.
- 16 (c) Reports and recommendations to Legislature and Governor.
- 17 (1) Not later than regular session of the Legislature, 2016, the state board shall make a report
18 to the Joint Standing Committee on Education and the Governor on transforming school leadership
19 including, at a minimum:
- 20 (A) Recommendations on a general leadership structure and definitions of the roles and
21 responsibilities for principals and teacher leaders;
- 22 (B) Identification of affected statutes and policies, including pending and completed policy

1 revisions, and recommendations for statutory amendments, if any, needed to effectuate its
2 recommendations;

3 (C) An outline of sequential implementation of the changes needed to transform school
4 leadership, and recommendations for phased implementation, if any; and

5 (D) The estimated costs of implementation of the recommendations and statutory changes
6 necessary to effectuate the recommendations.

NOTE: The purpose of this bill is to initiate a comprehensive transformation in school leadership through a process that includes broad stakeholder input under the State Board of Education to assist it in developing recommendations to the Legislature and the Governor.

To guide this work, the bill includes findings on the strong leadership observed in high quality schools that develop a climate and culture of shared beliefs and values among the staff, shared responsibility for results and high expectations for all. The findings also discuss various approaches to reward excellent teaching, provide time necessary for excellent teachers to lead instructional improvement, and enable excellent teachers to advance in their teaching careers and compensation in instructional leadership positions without leaving the classroom completely.

Areas for consideration for recommendations to the Governor and Legislature include the role and responsibilities of principals for instructional improvement with corresponding changes in preparation, support and tools needed to succeed; authentic opportunities for teachers to lead instructional improvement and receive additional compensation as teacher leaders; the pipeline for leadership development; and the support systems and school-level flexibility required under the new leadership model.

This section is new; therefore, it has been completely underscored.