

H. B. 2840

(By Delegates Campbell, Rowan, Pasdon, Cooper, Perry and Eldridge)

[Introduced February 20, 2015; referred to the

Committee on Education then Finance.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-45a, relating to providing an alternative plan to make up lost days of instruction.

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 §18-5-45a, to read as follows:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-45a. Alternate plan for completion of make-up days via web access.

(a) Prior to August 1 of each school year, a county board of education may submit to the State Board of Education a plan to require students to access and complete classroom lessons posted on a board or school website in order to make up hours in that school year on which it is necessary to close schools for disease epidemic, hazardous weather conditions, law-enforcement emergencies, inoperability of school buses or other equipment necessary to the school's operation, damage to a

1 school building, or other temporary circumstances due to utility failure rendering the school building
2 unfit for school use. The plan shall provide for making up any number of hours, up to a maximum
3 of the number of hours that are the equivalent of three school days. If the plan meets all
4 requirements of this section, the State Board of Education shall permit the board or governing
5 authority to implement the plan for the applicable school year.

6 (b) Each plan submitted under this section shall provide for the following:

7 (1) Not later than November 1, of the school year, each classroom teacher shall develop a
8 sufficient number of lessons for each course taught by the teacher that school year to cover the
9 number of make-up hours specified in the plan. The teacher shall designate the order in which the
10 lessons are to be posted on the board's or school's website in the event of a school closure. Teachers
11 may be granted up to one professional development day to create lesson plans for those lessons.

12 (2) To the extent possible and necessary, a classroom teacher shall update or replace, based
13 on current instructional progress, one or more of the lesson plans of this section before they are
14 posted on the website or distributed under subsection (c) of this section.

15 (3) As soon as practicable after a school closure, a school employee responsible for website
16 operations shall make the designated lessons available to students on the board's or school's website.
17 A lesson shall be posted for each course that was scheduled to meet on the day or hours of the
18 closure.

19 (4) Each student enrolled in a course for which a lesson is posted on the website shall be
20 granted a two-week period from the date of posting to complete the lesson. The student's classroom
21 teacher shall grade the lesson in the same manner as other lessons. The student may receive an
22 incomplete or failing grade if the lesson is not completed on time.

1 (5) If a student does not have access to a computer at the student's residence and the plan does
2 not include make-up day packets under subsection (c) of this section, the student shall be permitted
3 to work on the posted lessons at school after the student's school reopens. If the lessons were posted
4 prior to the reopening, the student shall be granted a two-week period from the date of the reopening,
5 rather than from the date of posting as otherwise required by this section, to complete the lessons.
6 The county board of education may provide the student access to a computer before, during, or after
7 the regularly scheduled school day or may provide a substantially similar paper lesson in order to
8 complete the lessons.

9 (c) In addition to posting classroom lessons online under subsection (a) of this section, the
10 county board of education's plan may include distribution of "make-up day packets," which are paper
11 copies of the lessons posted online. If a school opts to use make-up day packets, teachers shall
12 prepare paper copies in conjunction with the lessons to be posted online and update the paper copies
13 whenever the teacher updates the online lesson plans. The county board of education shall specify
14 in the plan the proposed method of distribution of make-up day packets, which may include, but not
15 be limited to, requiring distribution by a specific deadline or requiring distribution prior to
16 anticipated school closure as directed by the superintendent of a school district or the principal,
17 director, chief administrative officer, or the equivalent, of a school. Students receiving make-up day
18 packets shall turn in completed lessons in accordance with subdivision (4), subsection (b) of this
19 section.

20 (d) No county board of education that implements a plan in accordance with this section may
21 be considered to have failed to comply with subsection (e), section forty-five of this article with
22 respect to the number of make-up hours specified in the plan.

NOTE: The purpose of this bill is to provide an alternate means for students to make up lost instructional days by allowing county boards of education to distribute lessons on the Internet.

§18-5-45a is new; therefore, it has been completely underscored.