

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Committee Substitute

for

House Bill 3061

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[Originating in the Committee on Education; March

17, 2017.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §18-5E-8, relating to encouraging mastery-based education through the
3 Innovation In Schools program; making findings and stating purpose; providing definitions;
4 specifying duties of Department of Education with respect to program; providing for
5 Innovation In Education/Mastery Based designations for award of grants and other
6 financial assistance; requiring participation in incubator process; prohibiting penalties for
7 student who transfers from mastery-based to nonmastery-based schools; and requiring
8 institutions of higher education to recognize and accept high school diplomas on equal
9 footing.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
2 section, designated §18-5E-8, to read as follows:

ARTICLE 5E. INNOVATION IN EDUCATION ACT.

§18-5E-8. Mastery-based instructional design and delivery strategies.

1 (a) The Legislature finds that under traditional models of time-based instruction,
2 particularly in the STEM areas, students may accumulate knowledge and skill deficits as they
3 progress through the curriculum which can eventually stymie their ability to be successful at higher
4 levels. Conversely, students who master the curriculum objectives quickly are limited under the
5 traditional time-based model from moving on to more challenging objectives or elective subjects
6 for which they have demonstrated their readiness to undertake. The purpose of this section is to
7 encourage and support schools through the Innovation In Schools program under this article to
8 move from the current time-based model toward a mastery-based model of education that allows
9 for more personalized and differentiated learning, creates a focus on explicit, measurable,
10 transferable learning objectives, and empowers students to progress to higher levels as they
11 demonstrate mastery with additional focus on those who have not. This encouragement and
12 support entails a multistep process involving building broader state-level awareness of mastery-

13 based models of education, identifying roadblocks to implementing such models and possible
14 solutions, and developing a process for supporting schools willing and ready to begin the
15 transition. Therefore, the Innovation In Education program established in this article shall include,
16 in addition to the principal focus areas listed in subsection (a), section two of this article, the area
17 of mastery-based education as provided in this section.

18 (b) For purposes of this section:

19 (1) "Mastery-based education" means an education system where student progress is
20 based upon a student's demonstration of mastery of competencies and content, not seat time or
21 the age or grade level of the student.

22 (2) "Incubator process" means a process where schools that are willing and ready to start
23 moving toward a mastery-based model of education would form an initial cohort of not more than
24 twenty incubator schools for mastery-based education. The incubator schools would receive
25 support, including but not limited to, for program development, staff professional development,
26 stakeholder education, specialized competency assessment, coaching and on-going technical
27 assistance. The incubator process will provide data and best practices for continued
28 implementation of mastery-based education.

29 (c) The State Department of Education shall perform the following activities to encourage
30 schools to implement mastery-based education through the Innovation In Schools program:

31 (1) Establish an advisory committee of not more than seventeen members including but
32 not limited to, public school professional educators, two and four year institutions of higher
33 education, employers and organizations advocating for education on behalf of employers, parents
34 and others who may possess knowledge of mastery-based education to advise and assist the
35 Department in carrying out the activities under this subsection, including, but not limited to,
36 identifying roadblocks to implementing mastery-based education and possible solutions, and to
37 develop recommendations for the incubator process;

38 (2) Conduct an awareness campaign to promote understanding and interest in mastery-
39 based education for teachers, administrators, parents, students, business leaders and
40 policymakers;

41 (3) Facilitate the planning and development of an incubator process to support schools
42 that are awarded Innovation In Education/Mastery-Based Education grants pursuant to this
43 article. The incubator process shall be designed to improve educational outcomes in the incubator
44 schools by advancing student mastery of concepts and skills through the following core principles:

45 (i) Student advancement upon mastery of a concept or skill;

46 (ii) Competencies that include explicit, measurable, and transferable learning objectives
47 that empower a student;

48 (iii) Assessment that is meaningful and provides a positive learning experience for a
49 student;

50 (iv) Timely, differentiated support based on a student's individual learning needs;

51 (v) Learning outcomes that emphasize competencies that include application and creation
52 of knowledge along with the development of important skills and dispositions; and

53 (vi) Incorporating partnerships with post-secondary institutions and members of industry;
54 and

55 (4) Develop and publish an application designed specifically for schools interested in initial
56 consideration for becoming an Innovation In Education/Mastery-Based school. This application
57 shall be separate from the application for Innovation In Education designation pursuant to section
58 three of this article and may not require the an Innovation In Education plan pursuant to section
59 four of this article. The application process shall be open to all schools including those currently
60 designated as Innovation In Education schools who are interested in adding mastery-based
61 education to their existing plan;

62 (5) Establish a process, which may include an on-site visit to schools which apply under
63 subdivision four of this subsection, to assess the readiness of applicants to undertake the

64 transition to mastery-based education. This process shall be used to identify an initial cohort of
65 not more than twenty schools.

66 (6) Establish a process to deepen the understanding of mastery-based education of the
67 schools selected for the initial cohort of schools identified under subdivision five of this subsection.
68 The process may include, but is not limited to, visits to schools experienced in using mastery-
69 based education. The process shall allow an applicant to opt-out of further participation prior to
70 submission of an Innovation In Education/Mastery-Based application in accordance with this
71 article; and

72 (7) Provide technical assistance to schools selected for the initial cohort who elect to
73 proceed with implementation to prepare an Innovation In Education/Mastery-Based application.
74 In addition to any measures of success as provided for Innovation in Education applicants, that
75 may be applicable to an Innovation In Education/Mastery-Based program, the Innovation In
76 Education/Mastery-Based application shall require a subset of uniform measures of success for
77 applicants granted an award under this section.

78 (d) In addition to any grant or other financial assistance awarded to a school designated
79 as an Innovation In Education/Mastery-Based school in accordance with this article, the school
80 shall participate in the incubator process established under this section.

81 (e) All other provisions of this article for Innovation In Education designated schools also
82 apply to Innovation In Education/Mastery-Based schools.

83 (f) A student attending a school that establishes mastery-based education who transfers
84 to another school within the county or in any other county that does not have a mastery-based
85 education program, may not be penalized by being required to repeat course work that the student
86 has successfully completed, or by changing the student's grade, or by any other penalty related
87 to the student's previous attendance in the mastery-based education program.

88 (g) An institution of higher education in this state shall recognize and accept on equal
89 footing as a traditional high school diploma awarded to a student who successfully completes an
90 educational program that uses, in whole or in part, mastery-based education.

Strike-throughs indicate language that would be stricken from a heading or the present law
and underscoring indicates new language that would be added.