

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Committee Substitute

for

House Bill 3061

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[Originating in the Committee on Finance;

February 16, 2018.]

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; requiring
5 participation in incubator process; incorporating statutory provisions related to Innovation
6 In Education schools; prohibiting penalties for student who transfers from mastery-based
7 to nonmastery-based schools; and requiring institutions of higher education to recognize
8 and accept high school diplomas on equal footing.

Be it enacted by the Legislature of West Virginia:

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 as soon as they have demonstrated their readiness to undertake them.

7 (b) The purpose of this section is to create a separate category of Innovation In Education
8 under this article, entitled Innovation In Education/Mastery-Based, that shall be a multistep
9 process for building a broader awareness and understanding of mastery-based models of
10 education, identifying roadblocks to implementing such models and possible solutions, and
11 developing a process for supporting schools willing and ready to begin the transition to a mastery-
12 based model of education that:

13 (1) Allows for more personalized and differentiated learning;

14 (2) Creates a focus on explicit, measurable, transferable learning objectives; and

15 (3) Empowers students to progress to higher levels as they demonstrate content mastery
16 and provides an additional focus on meeting the needs of those students who have not yet
17 achieved mastery.

18 (c) 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 the mastery of competencies and content, not seat time
21 or the age or grade level of the student; and

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 form a network of not more than twenty
24 mastery-based education schools. The schools in this network will receive support for, including
25 but not limited to, program development, professional development, stakeholder education,
26 establishing mastery assessment, coaching and on-going technical assistance. The incubator
27 process will provide data and best practices for continued implementation of mastery-based
28 education.

29 (d) The State Department of Education shall perform the following activities for
30 implementing the Innovation In Schools/Mastery-Based program:

31 (1) Establish an advisory committee including, but not limited to, public school professional
32 educators, two and four year institutions of higher education, employers and organizations
33 advocating for education on behalf of employers, parents and others who may possess
34 knowledge of mastery-based education. The purpose of the advisory committee is to advise and
35 assist the Department in carrying out the activities under this subsection, including, but not limited
36 to, building a broader awareness and understanding of mastery-based models of education,
37 identifying potential roadblocks to implementing mastery-based models of education and
38 recognizing student mastery upon matriculation or transfer and possible solutions, establishing
39 evaluative criteria to assess the readiness of schools to undertake the transition to mastery-based

40 education, and developing an incubator process for supporting the network of schools willing and
41 ready to begin the transition to a mastery-based education model;

42 (2) Conduct an awareness campaign to promote a broader awareness and understanding
43 in mastery-based education among teachers, administrators, parents, students, business leaders
44 and policymakers;

45 (3) Develop and publish an application designed specifically for schools interested in initial
46 consideration for becoming an Innovation In Education/Mastery-Based school. The application
47 shall be separate from the application for Innovation In Education designation pursuant to section
48 three of this article and may not require an Innovation In Education plan pursuant to section four
49 of this article. In addition, the application process shall:

50 (i) Include the evaluative criteria that will be used to assess the readiness of schools to
51 undertake the transition to mastery-based education. Within the evaluative criteria, the
52 Department may include an intent to select any proportion of schools of diverse demographic
53 character and programmatic levels for participation in the initial network of mastery-based
54 education schools; and

55 (ii) Be open to all schools including those currently designated as Innovation In Education
56 schools who are interested in adding mastery-based education to their existing plan;

57 (4) Establish a process, which may include an on-site visit to schools which apply for initial
58 consideration for becoming an Innovation In Education/Mastery-Based school to assess the
59 readiness of applicants to undertake the transition to mastery-based education. This process shall
60 be used to identify an initial network of not more than twenty schools selected as willing and ready
61 to undertake the transition to mastery-based education.

62 (5) Establish a process to deepen the understanding of mastery-based education of the
63 schools selected for the initial network of schools. The process may include, but is not limited to,
64 visits to schools experienced in using mastery-based education.

65 (6) For schools selected for the initial network who elect to proceed with the
66 implementation of a mastery-based model of education, provide technical assistance to prepare
67 an Innovation In Education/Mastery-Based application. Schools in the initial network may:

68 (i) Opt-out of further participation prior to submission of an Innovation In
69 Education/Mastery-Based application;

70 (ii) Apply for an Innovation In Education/Mastery-Based grant for the transition to a
71 mastery-based education model within a limited subject area or areas across multiple grade
72 levels, such as, but not limited to, mathematics or STEM related academic and technical programs
73 of study; or

74 (iii) Apply for an Innovation In Education/Mastery-Based grant for the transition to a
75 mastery-based education model school-wide or other configurations as may be determined
76 practicable by the Department.

77 (7) In addition to any applicable measures of success required for an Innovation in
78 Education plan as determined by the Department, an Innovation In Education/Mastery-Based plan
79 shall require a subset of uniform measures of success for applicants granted an award under this
80 section.

81 (8) Implement an incubator process to support the network of schools that are awarded
82 Innovation In Education/Mastery-Based Education grants pursuant to this article. The incubator
83 process shall be designed to improve educational outcomes in these schools by advancing
84 student mastery of content and skills through the following core principles:

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

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

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

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

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

93 (vi) Incorporating partnerships with post-secondary institutions and members of industry.

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

97 (f) Other provisions of this article related to schools designated as Innovation In Education
98 schools also apply to Innovation In Education/Mastery-Based schools unless specifically
99 exempted or contradicted by this section.

100 (g) A student enrolled at a school that establishes mastery-based education who then
101 transfers to another school within the county or in any other county in this state that does not have
102 a mastery-based education program, may not be penalized by being required to repeat course
103 work covering content that the student has successfully mastered or by any other penalty related
104 to the student's previous attendance in the mastery-based education program.

105 (h) An institution of higher education in this state shall recognize and accept credentials
106 and diplomas awarded to students indicating a level of content mastery gained in whole or in part
107 through mastery-based education on equal footing as a traditional high school transcript and
108 diploma.