

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 2304

FISCAL
NOTE

BY DELEGATES HIGGINBOTHAM AND HANNA

[Introduced February 12, 2021; Referred to the
Committee on the Education then Finance]

1 A BILL to amend and reenact §18-9A-10 of the Code of West Virginia, 1931, as amended, relating
2 to allowances for instructional technology and for advanced placement, dual credit and
3 international baccalaureate programs; increasing base allocation to each county for
4 improving instructional technology; and changing basis of determining amount to be
5 distributed to counties for enrollment in advanced placement and dual credit programs.

Be it enacted by the Legislature of West Virginia:

ARTICLE 9A. PUBLIC SCHOOL SUPPORT.

§18-9A-10. Foundation allowance to improve instructional programs, instructional technology, advanced placement, dual credit and international baccalaureate programs; and teacher and leader induction and professional growth.

1 (a) The total allowance to improve instructional programs and instructional technology is
2 the sum of the following:

3 (1) For instructional improvement, in accordance with county and school electronic
4 strategic improvement plans required by §18-2E-5 of this code, an amount equal to 10 percent of
5 the increase in the local share amount for the next school year shall be added to the amount of
6 the appropriation for this purpose for the immediately preceding school year. The sum of these
7 amounts shall be allocated to the counties as follows:

8 (A) One hundred fifty thousand dollars shall be allocated to each county; and

9 (B) Allocation to the counties of the remainder of these funds shall be made proportional
10 to the average of each county's average daily attendance for the preceding year and the county's
11 second month net enrollment.

12 Moneys allocated by this subdivision shall be used to improve instructional programs
13 according to the county and school strategic improvement plans required by §18-2E-5 of this code
14 and approved by the state board.

15 Up to 50 percent of this allocation for the improvement of instructional programs may be
16 used to employ professional educators and service personnel in the county. Prior to the use of

17 any funds from this subdivision for personnel costs, the county board must receive authorization
18 from the state superintendent. The state superintendent shall require the county board to
19 demonstrate: (1) The need for the allocation; (2) efficiency and fiscal responsibility in staffing; (3)
20 sharing of services with adjoining counties in the use of the total local district board budget; and
21 (4) employment of technology integration specialists to meet the needs for implementation of the
22 West Virginia Strategic Technology Learning Plan. County boards shall make application for the
23 use of funds for personnel for the next fiscal year by May 1 of each year. On or before June 1,
24 the state superintendent shall review all applications and notify applying county boards of the
25 approval or disapproval of the use of funds for personnel during the fiscal year appropriate. The
26 state superintendent shall require the county board to demonstrate the need for an allocation for
27 personnel based upon the county's inability to meet the requirements of state law or state board
28 policy.

29 The funds available for personnel under this subdivision may not be used to increase the
30 total number of professional noninstructional personnel in the central office beyond four.

31 The plan shall be made available for distribution to the public at the office of each affected
32 county board; plus

33 (2) For the purposes of improving instructional technology, an amount equal to 20 percent
34 of the increase in the local share amount for the next school year shall be added to the amount
35 of the appropriation for this purpose for the immediately preceding school year. The sum of these
36 amounts shall be allocated to the counties as follows:

37 (A) ~~Thirty~~ Sixty thousand dollars shall be allocated to each county; and

38 (B) Allocation to the counties of the remainder of these funds shall be made proportional
39 to the average of each county's average daily attendance for the preceding year and the county's
40 second month net enrollment.

41 Moneys allocated by this subdivision shall be used to improve instructional technology
42 programs according to the county board's strategic technology learning plan.

43 This allocation for the improvement of instructional technology programs may also be used
44 for the employment of technology system specialists essential for the technology systems of the
45 schools of the county to be fully functional and readily available when needed by classroom
46 teachers. The amount of this allocation used for the employment of technology system specialists
47 shall be included and justified in the county board's strategic technology learning plan; plus

48 (3) To support the program costs for student enrollment in dual credit, advanced
49 placement, and international baccalaureate courses as defined by the state board:

50 ~~(3) (A)~~ (A) One percent of the state average per pupil state aid multiplied by the number of
51 students enrolled in ~~dual credit, advanced placement and international baccalaureate courses as~~
52 ~~defined by the state board~~ shall be distributed to the counties proportionate to enrollment in these
53 courses in each county; plus

54 (B) Fifty dollars multiplied by the duplicated count of the students enrolled in dual credit
55 courses offered by the county shall be distributed to each respective county for the purpose of
56 supporting enrollment in these courses; plus

57 (C) Fifty dollars multiplied by the duplicated count of the students enrolled in advanced
58 placement courses offered by the county shall be distributed to each respective county for the
59 purpose of supporting enrollment in these courses; plus

60 (4) For the purpose of supporting county-level implementation of the comprehensive
61 systems for teacher and leader induction and professional growth pursuant to §18A-3C-3 of this
62 code, an amount equal to 20 percent of the increase in the local share amount for the next school
63 year shall be added to the amount of the appropriation for this purpose for the immediately
64 preceding school year. The sum of these amounts shall be allocated to the counties in a manner
65 established by the state board which takes into account the following factors:

66 (A) The number of full-time-equivalent teachers employed by the county with zero years
67 of experience;

68 (B) The total number of full-time-equivalent teachers employed by the county with one

69 year of experience, with two years of experience and with three years of experience;

70 (C) The number of full-time-equivalent principals, assistant principals and vocational
71 administrators employed by the county who are in their first or second year of employment as a
72 principal, assistant principal or vocational administrator;

73 (D) The number of full-time-equivalent principals, assistant principals and vocational
74 administrators employed by the county who are in their first year in an assignment at a school
75 with a programmatic level in which they have not previously served as a principal, assistant
76 principal or vocational administrator; and

77 (E) Needs identified in the strategic plans for continuous improvement of schools and
78 school systems including those identified through the performance evaluations of professional
79 personnel.

80 ~~Notwithstanding~~ Notwithstanding any provision of this subsection to the contrary, no
81 county may receive an allocation for the purposes of this subdivision which is less than the
82 county's total 2016-2017 allocation from the Teacher Mentor and Principals Mentorship
83 appropriations to the Department of Education. Moneys allocated by this subdivision shall be used
84 for implementation of the comprehensive systems for teacher and leader induction and
85 professional growth pursuant to §18A-3C-3 of this code; plus

86 (5) An amount not less than the amount required to meet debt service requirements on
87 any revenue bonds issued prior to January 1, 1994, and the debt service requirements on any
88 revenue bonds issued for the purpose of refunding revenue bonds issued prior to January 1,
89 1994, shall be paid by the Department of Education in accordance with the expenditure schedule
90 approved by the state budget office into the School Building Capital Improvements Fund created
91 by §18-9D-6 of this code and shall be used solely for the purposes of that article. The School
92 Building Capital Improvements Fund shall not be utilized to meet the debt services requirement
93 on any revenue bonds or revenue refunding bonds for which moneys contained within the School
94 Building Debt Service Fund have been pledged for repayment pursuant to that section.

95 (b) Notwithstanding the restrictions on the use of funds pursuant to subdivisions (1) and
96 (2), subsection (a) of this section, a county board may:

97 (1) Utilize up to 25 percent of the allocation for the improvement of instructional programs
98 in any school year for school facility and equipment repair, maintenance and improvement or
99 replacement and other current expense priorities and for emergency purposes. The amount of
100 this allocation used for any of these purposes shall be included and justified in the county and
101 school strategic improvement plans or amendments thereto; and

102 (2) Utilize up to 50 percent of the allocation for improving instructional technology in any
103 school year for school facility and equipment repair, maintenance and improvement or
104 replacement and other current expense priorities and for emergency purposes. The amount of
105 this allocation used for any of these purposes shall be included and justified in the county board's
106 strategic technology learning plan or amendments thereto.

107 (c) When the school improvement bonds secured by funds from the School Building
108 Capital Improvements Fund mature, the State Board of Education shall annually deposit an
109 amount equal to \$24 million from the funds allocated in this section into the School Construction
110 Fund created pursuant to the provisions of §18-9D-6 of this code to continue funding school facility
111 construction and improvements.

112 (d) Any project funded by the School Building Authority shall be in accordance with a
113 comprehensive educational facility plan which must be approved by the state board and the
114 School Building Authority.

NOTE: The purpose of this bill is to change the school aid formula Step 7 allowances for instructional technology and for AP and dual credit courses. The bill provides that the base allocation to each county for instructional technology to be increased by \$30,000. The bill increases basis of determining each county's allowance for advanced placement and dual credit programs to \$50 for each such course in which a student enrolls, rather than one per cent of the state average per pupil state aid for each student who enrolls in one or more of courses.

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