

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 636

BY SENATORS RUCKER, PHILLIPS, SMITH, ROBERTS,

KARNES, AND STOLLINGS

[Introduced March 12, 2021; referred
to the Committee on Education]

1 A BILL to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended; and to
 2 amend and reenact §18-2E-5 of said code, all relating to required courses to be included
 3 in all public, private, parochial, and denominational schools for instruction on the
 4 institutions and structure of American government, such as the separation of powers, the
 5 Electoral College, and federalism; including instruction that provides students an
 6 understanding of American political philosophy and history, utilizing writings from
 7 prominent figures in Western civilization, and offering an objective and critical analysis of
 8 ideologies throughout history, including but not limited to capitalism, republicanism,
 9 democracy, socialism, communism, and fascism; and requiring the State Board to provide
 10 through the statewide assessment program, testing or assessment instruments for the
 11 history and civics courses of instruction.

Be it enacted by the Legislature of West Virginia:

CHAPTER 18. EDUCATION.

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-9. Required courses of instruction.

1 (a) In all public, private, parochial and denominational schools located within this state
 2 there shall be given prior to the completion of the eighth grade at least one year of instruction in
 3 the history of the State of West Virginia. The schools shall require regular courses of instruction
 4 by the completion of the 12th grade in the history of the United States, in civics, in the Constitution
 5 of the United States and in the government of the State of West Virginia for the purpose of
 6 teaching, fostering and perpetuating the ideals, principles and spirit of political and economic
 7 democracy in America and increasing the knowledge of the organization and machinery of the
 8 government of the United States and of the State of West Virginia. The required courses shall
 9 include instruction on the institutions and structure of American government, such as the
 10 separation of powers, the Electoral College, and federalism. The required courses shall include

11 instruction that provides students an understanding of American political philosophy and history,
12 utilizing writings from prominent figures in Western civilization, such as Aristotle, Thomas Hobbes,
13 John Locke, and Thomas Jefferson. The courses of instruction shall offer an objective and critical
14 analysis of ideologies throughout history, including but not limited to capitalism, republicanism,
15 democracy, socialism, communism, and fascism. The required courses shall emphasize the use
16 of primary sources and interactive learning techniques, such as mock scenarios, debates, and
17 open and impartial discussions. The state board shall, with the advice of the state superintendent
18 and after consultation with other entities, prescribe the courses of study, including the basic
19 course requirements for middle school and high school, and the academic standards for these
20 courses of study covering these subjects for the public schools, and publish an approved list of
21 instructional resources pursuant to §18-2A-1 et seq. of this code. The other entities may include
22 such organizations as the Florida Joint Center for Citizenship, the College Board, the Bill of Rights
23 Institute, Hillsdale College, the Gilder Lehrman Institute of American History, and the
24 Constitutional Sources Project, and with educators, school administrators, postsecondary
25 education representatives, elected officials, business and industry leaders, parents, and the
26 public. ~~It shall be the duty of the officials~~ Officials or boards having authority over the respective
27 private, parochial and denominational schools ~~to~~ shall prescribe courses of study for the schools
28 under their control and supervision similar to those required for the public schools. To further ~~such~~
29 this study, every high school student eligible by age for voter registration shall be afforded the
30 opportunity to register to vote pursuant to §3-2-22 of this code.

31 (b) The state board shall cause to be taught in all of the public schools of this state the
32 subject of health education, including instruction in any of the grades six through 12 as considered
33 appropriate by the county board, on: (1) The prevention, transmission and spread of acquired
34 immune deficiency syndrome and other sexually transmitted diseases; (2) substance abuse,
35 including the nature of alcoholic drinks and narcotics, tobacco products and other potentially
36 harmful drugs, with special instruction as to their effect upon the human system and upon society

37 in general; (3) the importance of healthy eating and physical activity to maintaining healthy weight;
38 and (4) education concerning cardiopulmonary resuscitation and first aid, including instruction in
39 the care for conscious choking, and recognition of symptoms of drug or alcohol overdose. The
40 course curriculum requirements and materials for the instruction shall be adopted by the state
41 board by rule in consultation with the Department of Health and Human Resources. The state
42 board shall prescribe a standardized health education assessment to be administered within
43 health education classes to measure student health knowledge and program effectiveness.

44 (c) An opportunity shall be afforded to the parent or guardian of a child subject to
45 instruction in the prevention, transmission and spread of acquired immune deficiency syndrome
46 and other sexually transmitted diseases to examine the course curriculum requirements and
47 materials to be used in the instruction. The parent or guardian may exempt the child from
48 participation in the instruction by giving notice to that effect in writing to the school principal.

49 (d) After July 1, 2015, the required instruction in cardiopulmonary resuscitation in
50 subsection (b) of this section shall include at least 30 minutes of instruction for each student prior
51 to graduation on the proper administration of cardiopulmonary resuscitation (CPR) and the
52 psychomotor skills necessary to perform cardiopulmonary resuscitation. The term “psychomotor
53 skills” means the use of hands-on practicing to support cognitive learning. Cognitive-only training
54 does not qualify as “psychomotor skills”. The CPR instruction must shall be based on an
55 instructional program established by the American Heart Association or the American Red Cross
56 or another program which is nationally recognized and uses the most current national evidence-
57 based Emergency Cardiovascular Care guidelines and incorporates psychomotor skills
58 development into the instruction. A licensed teacher is not required to be a certified trainer of
59 cardiopulmonary resuscitation to facilitate, provide or oversee such instruction. The instruction
60 may be given by community members, such as emergency medical technicians, paramedics,
61 police officers, firefighters, licensed nurses and representatives of the American Heart Association
62 or the American Red Cross. These community members are encouraged to provide necessary

63 training and instructional resources such as cardiopulmonary resuscitation kits and other material
64 at no cost to the schools. The requirements of this subsection are minimum requirements. A local
65 school district may offer CPR instruction for longer periods of time and may enhance the
66 curriculum and training components, including, but not limited to, incorporating into the instruction
67 the use of an automated external defibrillator (AED): *Provided*, That any instruction that results in
68 a certification being earned ~~must~~ shall be taught by an authorized CPR/AED instructor.

69 (e) A full week of classes during the week selected by the county board of education shall
70 be recognized as "Celebrate Freedom Week". The purpose of Celebrate Freedom Week is to
71 educate students about the sacrifices made for freedom in the founding of this country and the
72 values on which this country was founded.

73 Celebrate Freedom Week ~~must~~ shall include appropriate instruction in each social studies
74 class which:

75 (1) Includes an in-depth study of the intent, meaning and importance of the Declaration of
76 Independence, the Emancipation Proclamation, and the Constitution of the United States with an
77 emphasis on the ~~Bill of Rights~~ Amendments that are crucial to the survival of democracy and
78 freedom, such as the Bill of Rights and the Thirteenth, Fourteenth, Fifteenth, and Nineteenth
79 Amendments;

80 (2) Uses the historical, political, and social environments surrounding each document at
81 the time of its initial passage or ratification; and

82 (3) Includes the study of historical documents to firmly establish the historical background
83 leading to the establishment of the provisions of the Constitution and Bill of Rights by the founding
84 fathers for the purposes of safeguarding our Constitutional republic.

85 The requirements of this subsection are applicable to all public, private, parochial, and
86 denominational schools located within this state. Nothing in this subsection creates a standard or
87 requirement subject to state accountability measures.

88 (f) Beginning the 2018-2019 school year, students in the public schools shall be
 89 administered a test the same as or substantially similar to the civics portion of the naturalization
 90 test used by the United States Citizenship and Immigration Services between their ninth and 12th
 91 grade years as an indicator of student achievement in the area of civics education. The test results
 92 may be reported in the aggregate to the county board for evaluation by the board's curriculum
 93 director and reported to the board members. Nothing in this subsection creates a standard or
 94 requirement subject to state accountability measures.

ARTICLE 2E. HIGH QUALITY EDUCATIONAL PROGRAMS.

§18-2E-5. Process for improving education; education standards; statewide assessment program; accountability measures; Office of Education Performance Audits; school accreditation and school system approval; intervention to correct low performance.

1 (a) *Legislative findings, purpose, and intent.* — The Legislature makes the following
 2 findings with respect to the process for improving education and its purpose and intent in the
 3 enactment of this section:

4 (1) The process for improving education includes four primary elements, these being:

5 (A) Standards which set forth the knowledge and skills that students should know and be
 6 able to perform as the result of a thorough and efficient education that prepares them for the 21st
 7 century, including measurable criteria to evaluate student performance and progress;

8 (B) Assessments of student performance and progress toward meeting the standards;

9 (C) A system of accountability for continuous improvement articulated by a rule
 10 promulgated by the state board that ~~will~~ shall build capacity in and ensure the efficiency of schools
 11 and districts to meet rigorous outcomes that assure student performance and progress toward
 12 obtaining the knowledge and skills intrinsic to a high-quality education, rather than monitoring for
 13 compliance with specific laws and regulations; and

14 (D) A method for building the capacity and improving the efficiency of schools and school
 15 systems to improve student performance and progress;

16 (2) As the constitutional body charged with the general supervision of schools as provided
17 by general law, the state board ~~has the authority~~ may, following constructive engagement of the
18 Legislature as provided in §18-2H-1 of this code and as delegated by the Legislature by general
19 law ~~to~~ establish the standards and assess the performance and progress of students against the
20 standards, and ~~to~~ exercise its supervisory responsibility to hold schools and school systems
21 accountable and assist schools and school systems to build capacity and improve efficiency so
22 that the standards are met, including, when necessary, seeking additional resources in
23 consultation with the Legislature and the Governor;

24 (3) As the constitutional body charged with providing for a thorough and efficient system
25 of schools, the Legislature has the authority and the responsibility to establish and be engaged
26 constructively in the determination of the knowledge and skills that students should know and be
27 able to do as the result of a thorough and efficient education. This determination is made by using
28 the process for improving education to determine when school improvement is needed by
29 evaluating the results and the efficiency of the system of schools, by ensuring accountability and
30 by providing for the necessary capacity and its efficient use;

31 (4) In consideration of these findings, the purpose of this section is to establish a process
32 for improving education that includes the four primary elements as set forth in subdivision (1) of
33 this subsection to provide assurances that the high-quality standards are, at a minimum, being
34 met and that a thorough and efficient system of schools is being provided for all West Virginia
35 public school students on an equal education opportunity basis; and

36 (5) The intent of the Legislature in enacting this section is to establish a process through
37 which the Legislature, the Governor and the state board ~~will~~ shall constructively consult on any
38 measures affecting standards, assessments and accountability prior to their adoption, examine
39 the performance and progress of students, schools and school systems and, when necessary,
40 consider alternative measures to ensure that all students continue to receive the thorough and
41 efficient education to which they are entitled. However, nothing in this section requires any specific

42 level of funding by the Legislature.

43 (b) *Electronic county and school strategic improvement plans.* — The state board shall
44 promulgate a rule consistent with this section and in accordance with §29A-3B-1 *et seq.* of this
45 code establishing an electronic county strategic improvement plan for each county board and an
46 electronic school strategic improvement plan for each public school in this state. Each respective
47 plan shall be for a period of no more than five years and shall include the mission and goals of
48 the school or school system to improve student, school or school system performance and
49 progress, as applicable. The strategic plan shall be revised annually in each area in which the
50 school or system is below the standard on the annual performance measures. The plan shall be
51 revised when required pursuant to this section to include each annual performance measure upon
52 which the school or school system fails to meet the standard for performance and progress, the
53 action to be taken to meet each measure, a separate time line and a date certain for meeting
54 each measure, a cost estimate and, when applicable, the assistance to be provided by the
55 department and other education agencies to improve student, school or school system
56 performance and progress to meet the annual performance measure.

57 The department shall make available to all public schools through its website or the West
58 Virginia Education Information System an electronic school strategic improvement plan
59 boilerplate designed for use by all schools to develop an electronic school strategic improvement
60 plan which incorporates all required aspects and satisfies all improvement plan requirements of
61 the Every Student Succeeds Act or subsequent federal law.

62 (c) *High-quality education standards and efficiency standards.* — In accordance with
63 §29A-3B-1 *et seq.* of this code, the state board shall adopt and periodically review and update
64 high-quality education standards for student, school and school system performance and
65 processes in the following areas:

66 (1) Academic standards;

67 (2) Workplace readiness skills;

- 68 (3) Finance;
- 69 (4) Transportation;
- 70 (5) Special education;
- 71 (6) Facilities;
- 72 (7) Administrative practices;
- 73 (8) Training of county board members and administrators;
- 74 (9) Personnel qualifications;
- 75 (10) Professional development and evaluation;
- 76 (11) Student performance, progress, and attendance;
- 77 (12) Professional personnel, including principals and central office administrators, and
- 78 service personnel attendance;
- 79 (13) School and school system performance and progress;
- 80 (14) A code of conduct for students and employees;
- 81 (15) Indicators of efficiency;
- 82 (16) Digital literacy skills; and
- 83 (17) Any other areas determined by the state board.

84 (d) *Comprehensive statewide student assessment program.* — The state board shall

85 establish a comprehensive statewide student assessment program to assess student

86 performance and progress in grades three through 12. The assessment program is subject to the

87 following:

88 (1) The state board shall promulgate a rule in accordance with §29A-3B-1 *et seq.* of this

89 code establishing the comprehensive statewide student assessment program;

90 (2) Prior to the testing window of the 2017-2018 school year, the state board shall align

91 the comprehensive statewide student assessment for all grade levels in which the test is given

92 with the college-readiness standards adopted pursuant to section thirty-nine, article two of this

93 chapter or develop other aligned tests to be required in grades three through eight and

94 administered once during the grade span of nine through 12 to assess progress toward college
95 and career readiness in English/language arts and math. The assessment in science shall be
96 administered once in grade spans three through five, once in grade spans six through eight, and
97 once in grade spans nine through 12;

98 (3) In accordance with §18-2-1 *et seq.* and §18-2E-1 *et seq.* of this code, the state board
99 shall review or develop, and adopt a college and career readiness assessment to be administered
100 in grade 11: *Provided*, That the adopted college and career readiness assessment administered
101 in grade 11 counts toward the statewide student assessment and ~~must~~ shall be used by a
102 significant number of regionally accredited higher education institutions for determining college
103 admissions;

104 (4) The comprehensive statewide student assessment shall be administered to students
105 in accordance with the requirements of the Every Student Succeeds Act or subsequent federal
106 law;

107 (5) The state board shall provide, through the statewide assessment program, testing or
108 assessment instruments for the history and civics courses of instruction required by §18-2-9(a) of
109 this code. These testing or assessment instruments shall:

110 (A) Be aligned with the academic standards required to be prescribed by §18-2-9(a) of this
111 code;

112 (B) Be mandatory for students in those courses of instruction;

113 (C) Be cumulative by including questions about knowledge learned in prior history and
114 civics courses; and

115 (D) Measure students' factual and conceptual knowledge including how the facts
116 interrelate and the reasons behind historical documents and events;

117 ~~(5)~~ (6) The state board may provide, through the statewide assessment program, other
118 optional testing or assessment instruments applicable to grade levels kindergarten through grade
119 12 which may be used by each school to promote student achievement. The state board annually

120 shall publish and make available, electronically, or otherwise, to school curriculum teams and
121 teacher collaborative processes the optional testing and assessment instruments. For any online
122 assessment, the state board shall provide online assessment preparation to ensure that students
123 have the requisite digital literacy skills to be successful on the assessment;

124 ~~(6)~~ (7) The state board may adopt a career readiness assessment that measures and
125 documents foundational workplace skills and leads to a nationally recognized work readiness
126 certificate for students that meet minimum proficiency requirements; and

127 ~~(7)~~ (8) The comprehensive statewide student assessment adopted prior to the testing
128 window of the 2017-2018 school year shall continue to be used for at least a total of four
129 consecutive years;

130 ~~(8)~~ (9) No summative assessment approved by the state board may take more than two
131 percent of a student's instructional time;

132 ~~(9)~~ (10) No student may be required to complete a greater number of summative
133 assessments than is required by the Every Student Succeeds Act except as otherwise required
134 by this subsection; and

135 ~~(10)~~ (11) Collection of personal data as part of the assessment process except for what is
136 necessary for the student's instruction, academic and college and career search needs is
137 prohibited.

138 (e) *State annual performance measures for school and school system accreditation.* —

139 The state board shall promulgate a rule in accordance with §29A-3B-1 *et seq.* of this code
140 that establishes a system that is based in multiple measures and meets the requirements of any
141 federal law to assess and weigh annual performance measures to assure that schools and school
142 systems are providing a thorough and efficient education to their students. State accreditation
143 shall be reviewed and approved in a balanced manner that gives fair credit to all measures
144 affecting students and subgroups of students in the schools and school systems. The state board
145 also may establish performance incentives for schools and school systems as part of the state

146 accreditation system. On or before December 1, 2018, the state board shall report to the Governor
147 and to the Legislative Oversight Commission on Education Accountability the proposed rule for
148 establishing the measures and incentives of accreditation and the estimated cost therefore, if any.
149 Thereafter, the state board shall provide an annual report to the Governor and to the Legislative
150 Oversight Commission on Education Accountability on the impact and effectiveness of the
151 accreditation system. The rule for school and school system accreditation proposed by the board
152 may include, but is not limited to, the following measures:

- 153 (1) Student proficiency and growth in English and language arts, math, science and other
154 subjects determined by the board;
- 155 (2) Graduation and attendance rate;
- 156 (3) Students taking and passing AP tests;
- 157 (4) Students completing a career and technical education class;
- 158 (5) Closing achievement gaps within subgroups of a school's student population; and
- 159 (6) Students scoring at or above average attainment on SAT or ACT tests.

160 (f) *Indicators of efficiency.* — In accordance with §29A-3B-1 *et seq.* of this code, the state
161 board shall adopt by rule and periodically review and update indicators of efficiency for use by the
162 appropriate divisions within the department to ensure efficient management and use of resources
163 in the public schools in the following areas:

- 164 (1) Curriculum delivery including, but not limited to, the use of distance learning;
- 165 (2) Transportation;
- 166 (3) Facilities;
- 167 (4) Administrative practices;
- 168 (5) Personnel; and
- 169 (6) Any other indicators as determined by the state board.

170 Each county board of education shall use the statewide electronic information system
171 established by the state board for data collection and reporting to the state Department of

172 Education.

173 (g) *Assessment and accountability of school and school system performance and*
174 *processes.* — In accordance with §29A-3B-1 *et seq.* of this code, the state board shall establish
175 by rule a system of education performance measures to evaluate the quality of education and the
176 preparation of students based on the annual measures of student, school and school system
177 performance and progress. The system of education performance measures shall provide
178 information to the state board, the Legislature, and the Governor, upon which they may determine
179 whether a thorough and efficient system of schools is being provided. The system of education
180 performance measures shall include:

181 (1) The assessment of student, school and school system performance and progress
182 based on the annual measures established pursuant to subsection (e) of this section;

183 (2) The evaluation of records, reports and other documents that provide information on
184 the quality of education and compliance with statutes, policies, and standards: and

185 (3) The review of school and school system electronic strategic improvement plans.

186 (h) *Uses of school and school system assessment information.* — The state board shall
187 use information from the system of education performance measures to assist it in ensuring that
188 a thorough and efficient system of schools is being efficiently provided and to improve student,
189 school and school system performance and progress. Information from the system of education
190 performance measures further shall be used by the state board for these purposes, including, but
191 not limited to, the following:

192 (1) Determining accountability and accreditation for schools and school system approval
193 status as required by state board rule and any federal law or regulations; and

194 (2) Holding schools and school systems accountable for the efficient use of existing
195 resources to meet or exceed the standards; and

196 (3) Targeting additional resources when necessary to improve performance and progress.

197 The state board shall make the performance measures information available to the

198 Legislature, the Governor, the general public and to any individual who requests the information,
199 subject to the provisions of any act or rule restricting the release of information.

200 (i) *Early detection and intervention programs.* — Based on the assessment of student,
201 school and school system performance and progress, the state board shall establish early
202 detection and intervention programs using the available resources of the Department of
203 Education, or other resources as appropriate, to assist underachieving schools and school
204 systems to improve performance before conditions become so grave as to warrant more
205 substantive state intervention. Assistance shall include, but is not limited to, providing additional
206 technical assistance and programmatic, professional staff development, and providing monetary,
207 staffing, and other resources where appropriate.

208 (j) The state board may employ experienced education professionals, who serve at the
209 will and pleasure of the state board, to coordinate on-site and school system improvement efforts
210 with staff at the State Department of Education to support schools and school systems in
211 improving education performance measures.

212 (k) *School accreditation.* —

213 (1) The state board shall establish levels of accreditation to be assigned to schools. The
214 establishment of levels of accreditation shall be subject to the following:

215 (A) The levels ~~will~~ shall be designed to demonstrate school performance on multiple
216 measures as established by the state board by legislative rule in accordance with §29A-3B-1 *et*
217 *seq.* of this code and consistent with the applicable state laws, policies, and standards, which
218 include standards for performance-based accountability, high-quality education, and continuous
219 improvement; and

220 (B) ~~Will~~ Shall ensure compliance with federal law and applicable state laws, policies, and
221 standards at a minimum.

222 (2) The state board annually shall review the information from the system of education
223 performance measures submitted for each school and shall accredit each school as designated

224 in the rule, and consistent with the applicable state laws, policies, and standards; and

225 (3) Exercise other powers and actions the state board determines necessary to fulfill its
226 duties of general supervision of the schools and school systems of West Virginia.

227 (l) *School system approval.* — The state board annually shall review the information
228 submitted for each school system from the system of education performance measures and issue
229 to each county board an approval status in compliance with federal law and established by state
230 board rule.

231 (m) Nonapproval for extraordinary circumstances.

232 (1) The state board shall establish and adopt additional standards to identify school
233 systems in which the program may be nonapproved and the state board may issue nonapproval
234 status whenever extraordinary circumstances exist as defined by the state board.

235 (2) When extraordinary circumstances exist, but do not rise to the level of immediate
236 intervention as described in subsection (n) of this section, the state board may declare a state of
237 emergency in the school system and shall direct designees to provide recommendations within
238 60 days of appointment for correcting the extraordinary circumstances. When the state board
239 approves the recommendations, they shall be communicated to the county board. If progress in
240 correcting the extraordinary circumstances, as determined by the state board, is not made within
241 six months from the time the county board receives the recommendations, the state board shall
242 intervene in the operation of the school system to cause improvements to be made that ~~will~~ shall
243 provide assurances that a thorough and efficient system of schools ~~will~~ shall be provided. This
244 intervention may include, but is not limited to, the following:

245 (A) Limiting the authority of the county board in areas that compromise the delivery of a
246 thorough and efficient education to its students as designated by the state board by rule, which
247 may include delegating decision-making authority regarding these matters to the state
248 superintendent who may:

249 (B) Declare that the office of the county superintendent is vacant;

250 (C) Declare that the positions of personnel who serve at the will and pleasure of the county
251 superintendent as provided in §18A-2-1 of this code, are vacant, subject to application and
252 reemployment;

253 (D) Fill the declared vacancies during the period of intervention; and

254 (E) Take any direct action necessary to correct the extraordinary circumstance.

255 (n) Notwithstanding any other provision of this section, the state board may intervene
256 immediately in the operation of the county school system with all the powers, duties and
257 responsibilities contained in subsection (m) of this section, if the state board finds any of the
258 following:

259 (1) A county board fails to act on a statutory obligation which would interrupt the day-to-
260 day operations of the school system;

261 (2) That the conditions precedent to intervention exist as provided in this section; and that
262 delaying intervention for any period of time would not be in the best interests of the students of
263 the county school system; or

264 (3) That the conditions precedent to intervention exist as provided in this section and that
265 the state board had previously intervened in the operation of the same school system and had
266 concluded that intervention within the preceding five years.

267 (o) *Capacity*. — The process for improving education includes a process for targeting
268 resources strategically to improve the teaching and learning process. Development of electronic
269 school and school system strategic improvement plans, pursuant to subsection (b) of this section,
270 is intended, in part, to provide mechanisms to target resources strategically to the teaching and
271 learning process to improve student, school and school system performance. When deficiencies
272 are detected through the assessment and accountability processes, the revision and approval of
273 school and school system electronic strategic improvement plans shall ensure that schools and
274 school systems are efficiently using existing resources to correct the deficiencies. When the state
275 board determines that schools and school systems do not have the capacity to correct

276 deficiencies, the state board shall take one or more of the following actions:

277 (1) Work with the county board to develop or secure the resources necessary to increase
278 the capacity of schools and school systems to meet the standards and, when necessary, seek
279 additional resources in consultation with the Legislature and the Governor;

280 (2) Recommend to the appropriate body including, but not limited to, the Legislature,
281 county boards, schools, and communities methods for targeting resources strategically to
282 eliminate deficiencies identified in the assessment and accountability processes. When making
283 determinations on recommendations, the state board shall include, but is not limited to, the
284 following methods:

285 The state board, or its designee, the West Virginia Department of Education, and county
286 school systems, shall work collaboratively in:

287 (1) Examining reports and electronic strategic improvement plans regarding the
288 performance and progress of students, schools, and school systems relative to the standards and
289 identifying the areas in which improvement is needed;

290 (2) Determining the areas of weakness and of ineffectiveness that appear to have
291 contributed to the substandard performance and progress of students or the deficiencies of the
292 school or school system;

293 (3) Determining the areas of strength that appear to have contributed to exceptional
294 student, school and school system performance and progress and promoting their emulation
295 throughout the system;

296 (4) Requesting technical assistance from the School Building Authority in assessing or
297 designing comprehensive educational facilities plans;

298 (5) Recommending priority funding from the School Building Authority based on identified
299 needs;

300 (6) Recommending special staff development programs from county boards based on
301 identified needs;

302 (7) Submitting requests to the Legislature for appropriations to meet the identified needs
303 for improving education;

304 (8) Directing educational expertise and support services strategically toward alleviating
305 deficiencies;

306 (9) Ensuring that the need for facilities in counties with increased enrollment are
307 appropriately reflected and recommended for funding;

308 (10) Ensuring that the appropriate person or entity is held accountable for eliminating
309 deficiencies; and

310 (11) Ensuring that the needed capacity is available from the state and local level to assist
311 the school or school system in achieving the standards and alleviating the deficiencies.

312 (p) *Building leadership capacity.* — To help build the governance and leadership capacity
313 of a county board during an intervention in the operation of its school system, and to help assure
314 sustained success following return of control to the county board, the county board shall establish
315 goals and action plans, subject to approval of the state superintendent, to improve performance
316 sufficiently to end the intervention within a period of not more than five years. The state
317 superintendent shall maintain oversight and provide assistance and feedback to the county board
318 on development and implementation of the goals and action plans. At a minimum, the goals and
319 action plans shall include:

320 (1) An analysis of the training and development activities needed by the county board and
321 leadership of the school system for effective governance and school improvement;

322 (2) Support for the training and development activities identified which may include those
323 made available through the state superintendent, West Virginia School Board Association, and
324 other sources identified in the goals and action plans; and

325 (3) Active involvement by the county board in the improvement process, working in tandem
326 with the county superintendent to gather, analyze and interpret data, write time-specific goals to
327 correct deficiencies, prepare and implement action plans and allocate or request from the

328 Department of Education the resources, including board development training and coaching,
329 necessary to achieve approved goals and action plans and sustain system and school
330 improvement.

331 At least once each year during the period of intervention, the state board shall appoint a
332 designee to assess the readiness of the county board to accept the return of control of the system
333 or school from the state board and sustain the improvements, and shall make a report and
334 recommendations to the state board supported by documented evidence of the progress made
335 on the goals and action plans. The state board may return any portion of control of the operations
336 of the school system or end the intervention in its entirety by a majority vote. If the state board
337 determines at the fifth annual assessment that the county board is still not ready to accept return
338 of control by the state board and sustain the improvements, the state board shall hold a public
339 hearing in the affected county at which the attendance by all members of the county board is
340 requested so that the reasons for continued intervention and the concerns of the citizens of the
341 county may be heard. The state board may continue the intervention only after it holds the public
342 hearing and may require revision of the goals and action plans. The state board ~~must~~ shall
343 thereafter hold a public hearing after each annual assessment beyond the fifth year. If a school
344 system is in intervention status on the effective date of this provision, the total years of intervention
345 shall be calculated from the date of initial intervention.

346 Following the termination of an intervention in the operation of a school system and return
347 of full control by the state board, the support for governance education and development shall
348 continue as needed for up to three years. If at any time within this three years, the state board
349 determines that intervention in the operation of the school system is again necessary, the state
350 board shall again hold a public hearing in the affected county so that the reasons for the
351 intervention and the concerns of the citizens of the county may be heard prior to intervening.

NOTE: The purpose of this bill is to require courses to be included in all public, private, parochial and denominational schools for instruction on the institutions and structure of American government; such as the separation of powers, the Electoral College, and

federalism, including instruction that provides students an understanding of American political philosophy and history, utilizing writings from prominent figures in Western civilization, and offering an objective and critical analysis of ideologies throughout history, including but not limited to capitalism, republicanism, democracy, socialism, communism, and fascism. The bill requires the state board to provide through the statewide assessment program, testing or assessment instruments for the history and civics courses of instruction.

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