

**126CSR42**

**TITLE 126  
LEGISLATIVE RULE  
BOARD OF EDUCATION  
SERIES 42**

**Assuring the Quality of Education: Regulations for Education Programs (2510)**

**§126-42-1. General.**

1.1. Scope. - This legislative rule establishes the regulations for all education programs that are designed to improve the quality of teaching and learning in the public schools and ensure that equal education opportunities exist for all students, including, but not limited to: comparably high quality programs of study, effective instructional strategies, work-based experiences, support programs, personnel, instructional materials, supplies, equipment, technology integration, and facilities.

1.2. Authority. - W. Va. Constitution, Article XII, §2; W. Va. Code §§18-1-1 and 4; 18-2-5 and 6; 18-2-7a: 18-2E-4, 5, 7, and 8; 18-5A-4; 18A-1-1; and Public Law 107-110, *No Child Left Behind Act of 2001 (hereinafter NCLB)*.

1.3. Filing Date. - September 15, 2005.

1.4. Effective Date. - October 15, 2005.

1.4.1. Unless specified otherwise within the policy.

1.5. Repeal of Former Rule. - This legislative rule amends W. Va. §126CSR42 "Assuring the Quality of Education: Regulations for Education Programs (2510)" March 17, 2005 and effective July 1, 2005.

**§126-42-2. Purpose.**

2.1. The West Virginia Board of Education (hereinafter WVBE) is committed to establishing high academic standards and providing high quality programs for every student in West Virginia's public schools. The WVBE will collaborate with parents, educators, communities, business and industry, and higher education to fulfill this commitment. It is important that local boards of education, the school, community, students and families of students cooperate to establish high expectations for student performance and become actively involved in the education process, thereby enabling students to succeed in the classroom and the workplace, lead healthy, rewarding and productive lives, and participate responsibly in society.

2.2. Each county education program shall provide the necessary resources, including technology, to ensure that students attain high standards of performance. At early levels, students will achieve basic skills in reading, writing, mathematics, and

## 126CSR42

computer applications. Achievement of these skills will provide the foundation for later intellectual challenges in all programs of study. Students will explore their interests and abilities and engage in relevant activities to help them understand the world of work. Technology will be a tool to help achieve these standards in all schools. The WVBE anticipates the provision of sufficient resources and support, including an adequate system of professional development, appropriate instructional materials, and reliable assessment measures, to realize the West Virginia Education Goals (as set forth in W. Va. Code§18-1-4) listed in Section 3.

2.3. Schools, in cooperation with county boards of education, will determine their individual approaches, pursuant to this policy, to assist students in mastering the adopted content standards and objectives (CSOs). Appropriate accountability measures will ensure that students and educators achieve high levels of performance.

### **§126-42-3. Scope.**

3.1. The major purposes of these regulations are to improve the quality of learning and teaching in the public schools and to ensure that equal education opportunities are provided to all public school students. Equal education opportunities to achieve one's potential include, but are not limited to: comparably high quality programs of study, including work-based experiences; student support programs; personnel; facilities; instructional materials; supplies; equipment; technology integration; and effective instructional practices. Given the demands of the world and workplace today, it is essential that all students be prepared for success in post-secondary education and work.

#### 3.1.1. Education Goals. (W. Va. Code §18-1-4)

a. Through the combined efforts of the government, the school system and the people, the West Virginia Education Goals set forth in W. Va. Code §18-1-4 will be achieved.

#### 3.1.2. WVBE Goals.

a. The WVBE will achieve the following goals:

A. All students shall master or exceed grade level educational standards.

B. All students shall receive a seamless pre-kindergarten (hereinafter pre-k) through 20 curriculum designed and delivered with broad stakeholder involvement to promote lifelong learning.

C. All students and school personnel shall develop and promote responsibility, citizenship, strong character and healthful living.

## 126CSR42

D. All students shall be educated in school systems that operate and deliver services efficiently and effectively.

E. All students shall be educated by highly qualified personnel.

3.2. Ensuring a quality education implies that a thorough and efficient education system exists that provides equal access to substantive curricular offerings and appropriate related services for all students. Providing such an education system must be the goal of the WVBE, West Virginia Legislature (hereinafter Legislature), West Virginia Department of Education (hereinafter WVDE), Regional Education Service Agencies (hereinafter RESAs), county boards of education, and the people of West Virginia. This policy provides the basic structure for all education programs and student support services necessary for a thorough and efficient system of education to be available to all students. The elements of a thorough and efficient system of education are:

3.2.1. high quality education programs, student services and work-based experiences;

3.2.2. high quality administrative and instructional practices, personnel, facilities, instructional materials, technology integration, supplies and equipment;

3.2.3. a safe and caring environment that fosters supportive relationships, is free from harassment, intimidation, bullying, discrimination and other inappropriate forms of conduct, and that involves parents;

3.2.4. a demanding curriculum for all students, with emphasis on the core academic programs of study that are aligned with rigorous content and performance standards and are communicated to students, parents and communities; and

3.2.5. accountability measures to ensure the public that a thorough and efficient system of education is being provided to students enrolled in the public schools of West Virginia.

3.3. System Requirements - The system of education shall provide opportunity for every child to develop literacy skills; technology utilization skills; the ability to perform mathematical functions; the ability to make informed choices among persons and issues that affect his or her governance; the ability to assess self and the total environment to know options and choose life work; the ability to perform in the world of work and post-secondary education; the ability to live a healthy lifestyle; the ability to participate in recreational activities; an understanding of the creative arts; and a sense of responsibility to facilitate compatibility with others in society and with other cultures.

### **§126-42-4. General Responsibilities.**

4.1. The responsibility for developing and implementing high quality education

## 126CSR42

programs is shared as follows:

4.1.1. Responsibility of the WVBE - The WVBE has primary responsibility for defining and assuring the delivery of a thorough and efficient system of education through the state superintendent of schools and the WVDE. Given this responsibility, the WVBE shall:

a. adopt high quality education standards pertaining to all education programs, education personnel development, and related services;

b. adopt policies providing equal education opportunities for all students that equip them with the skills and knowledge to succeed, to learn throughout their lifetimes, and to attain economic self-sufficiency;

c. serve as an advocate for a thorough and efficient system of public education;

d. establish partnerships with higher education, business and industry, labor and community agencies to assure preparation of graduates for college, other post-secondary education, and gainful employment and to achieve the goals of this policy;

e. assist county boards of education and other participating agencies in implementing and operating high quality education programs and related services;

f. receive, disburse and administer state and federal funds designated for the implementation and operation of education programs and related services;

g. monitor the implementation and operation of education programs and related student support services to ensure compliance with state and federal laws and policies;

h. provide an effective mechanism for citizens to register concerns if they believe that elements of a thorough and efficient education program are not being provided pursuant to constitutional provisions, statutes, and/or policy as outlined in 126CSR188, WVBE Policy 7211, Appeals Procedure for Citizens;

i. provide exceptions and consideration for extenuating circumstances, when suitable alternatives are proposed, that ensure the attainment of the same or higher standards through the waiver process outlined in W. Va. Code §18-5A-3; and

## 126CSR42

j. report progress toward attainment of state education goals to the public and the Legislature.

4.1.2. Responsibility of the WVDE - The WVDE has a primary leadership role in 1) defining and developing the framework for education programs and services, 2) assisting county boards of education to ensure delivery of these programs and student support services, and 3) assuring the WVBE, the Legislature and the public that a thorough and efficient system of education is being provided. It is the further responsibility of the WVDE to:

a. work for and provide staff support to the state superintendent of schools and the WVBE;

b. provide technical assistance to county boards of education, institutions of higher education and related agencies;

c. encourage the use of best practices based on quality, scientifically based research at each programmatic level;

d. disseminate information concerning the content and implications of standards, policies, and state and federal laws to county boards of education, institutions of higher education, the business community, parents, professional organizations, educational agencies and other individuals and groups;

e. develop procedures, guidelines, and technical assistance documents necessary to implement the WVBE policies and state laws;

f. develop, provide and participate in programs for professional development based on scientific research;

g. monitor the implementation of education programs;

h. administer funds provided and/or authorized by the Legislature and other sources;

i. maintain appropriate records and reports on the status of education programs and approved education personnel development programs;

j. be accountable to the public and the Legislature through the West Virginia Report Cards; and

k. provide recommendations to the WVBE to update a plan for a thorough and efficient system of public education.

4.1.3. Responsibility of RESAs – Educational services provided by RESAs

## 126CSR42

include areas of service in which the agencies can best assist the WVBE in implementing the standards-based accountability model pursuant to subsection (a) of W. Va. Code §18-2-26 in providing high quality education programs. These areas of service, with the first two areas constituting the most important responsibilities, include:

- a. Providing technical assistance to low-performing schools and school systems;
- b. Providing high quality, targeted staff development designed to enhance the performance and progress of students;
- c. Facilitating coordination and cooperation among the county boards within their respective regions in such areas as cooperative purchasing; sharing of specialized personnel, communications and technology; curriculum development; and operation of specialized programs for exceptional children;
- d. Installing, maintaining and/or repairing education related technology equipment and software with special attention to the state-level basic skills and SUCCESS programs;
- e. Receiving and administering grants under the provisions of federal and/or state law; and
- f. Developing and/or implementing any other programs or services as directed by law or by the State Board.

4.1.4. Responsibility of County Boards of Education - It is the responsibility of each county board of education to plan, deliver, and evaluate the education programs and student support services necessary to implement a thorough and efficient system of public education. The programs of study and student support services mandated by regulations must be made available to all students. In carrying out this responsibility, a county board of education may: 1) cooperate with one or more counties in establishing and maintaining joint programs, 2) use regional services or contract for services with public or private agencies having appropriate programs, and 3) coordinate and share programs, related services and resources with other organizations, agencies and local businesses. Regardless of the method chosen, each county board of education shall: 1) collaborate with local business and community groups through establishment of partnerships and a county steering committee; 2) be responsible for conducting a technology needs assessment and establishing a county technology team that will develop a county technology plan for the use of technology to improve instruction (See 126CSR43, WVBE Policy 2470, Use of Technology by Students and Educators (hereinafter Policy 2470); and 126CSR48, WVBE Policy 2450, Distance Learning and the West Virginia Virtual School.); 3) be responsible for developing a Five-Year Unified Strategic Plan and distributing the county board's resources as determined by the plan; and 4) be accountable to the public through the annual West Virginia Report Card.

## 126CSR42

### §126-42-5. Glossary.

5.1. Acceleration – The process through which students can obtain mastery of content at a faster or earlier rate. Acceleration is available for all students who demonstrate academic readiness for various delivery options. Acceleration includes, but is not limited to, compacted classes/schedules, testing out, early school entrance, double promotion, early graduation, dual credit courses, “West Virginia Earn a Degree - Graduate Early” (hereinafter WV EDGE) courses, the College Board’s Advanced Placement courses, and International Baccalaureate programs.

5.2. Accrued Instruction Time – Instructional time accrued during the instructional term from time added to the instructional day beyond the time set forth in Section 5.46. Accrued instructional time may be accumulated and used in larger blocks of time during the school year for instructional or noninstructional activities. (See Section 8.2.4)

5.3. Adolescent Education - The education program that addresses the intellectual, physical, social/emotional and career preparation needs of students across all programs and areas of study in grades 9-12.

5.4. Adult Education - The education program that addresses the intellectual, physical, social/emotional and career development needs of persons 16 years of age and older who are not enrolled in public school.

5.5. Advanced Placement - Courses provided by The College Board which are advanced in terms of content and performance expectations for the age/grade level of students and provide credit toward graduation and possible college credit upon passing an examination through The College Board.

5.6. Advisory Council - Groups of local employers and other designated stakeholders who provide advice to school districts, multi-county centers and technical program areas on issues relating to career and technical education, including current and future employment needs, standards, curriculum and equipment.

5.7. Area of Study - A logical subdivision of the subject matter contained within a program of study. For example, geometry and algebra are areas of study within the mathematics program of study.

5.8. The Arts - The programs of study for dance, music, theatre and visual art.

5.9. Career Awareness - The opportunity for students to learn about and develop an appreciation of the broad concepts related to work, careers and educational preparation.

## 126CSR42

5.10. Career Cluster - A broad grouping of related occupations representative of the types of occupations available in the world of work.

5.11. Career Development - The process through which a student comes to understand the world of work. Kindergarten through 4<sup>th</sup> grade focuses on career awareness; 5<sup>th</sup> grade through 8<sup>th</sup> grade focuses on career exploration; 9<sup>th</sup> and 10<sup>th</sup> grade focuses on career exploration and decision-making; and 11<sup>th</sup> grade through adult focuses on career preparation.

5.12. Career Exploration - The opportunity within the education program for students to conduct self-assessment, access career information, examine multiple career options and initiate education planning based on a tentative career focus.

5.13. Career Major - A grouping of occupations with significant commonalities within a career cluster.

5.14. Certificate of Proficiency - A certificate awarded in addition to the high school diploma, containing specific information regarding the graduate's skills, competence, and readiness for further education and employment. (See Section 6.4.10.)

5.15. Character Education - An integrated and comprehensive approach to promote an understanding and inspire development of general character traits such as respect, responsibility, caring, citizenship, justice and fairness, and trustworthiness. Character education utilizes existing curricula, along with new and existing projects, programs and activities.

5.16. Class Period - A block of time provided for instruction in a course within a program of study.

5.17. Classroom Management - The organization of the activities and environment of a classroom that are essential to teaching and learning.

5.18. Co-curricular Activities - Activities that are closely related to identifiable academic programs and/or areas of study that serve to complement academic and technical curricula. (See Section 9.10.)

5.19. Comprehensive School Guidance and Counseling Curriculum - A curriculum component consisting of structured developmental lessons designed to assist students in achieving the competencies outlined in 126CSR67, WVBE Policy 2315, Comprehensive Developmental Guidance and Counseling (hereinafter Policy 2315) which address academic, career and personal/social development systematically through classroom and group activities in grades pre-k-12.

5.20. Concentration - A series of credits directly related to a student's chosen career major and postsecondary goal (hereinafter pathway). The technical concentrations

## 126CSR42

offered by the school must be aligned with local, state and national job market opportunities.

5.21. Content Standard - A broad description of knowledge and skills that students are expected to acquire in a content area.

5.22. Core Requirements - Reading and English language arts, mathematics, science, social studies, the arts, health, physical education, foreign languages\*, and technical concentrations\*\* (\* for professional pathway students, \*\* for entry pathway students).

5.23. County School Support Team - A group of county school district representatives who are responsible for reviewing all facets of schools' operations and making recommendations for improving student performance (especially in those schools that are identified in need of improvement.) The county school support team members are appointed by the county superintendent and may include distinguished teachers, distinguished principals, special education professionals, Title I professionals, WVDE and RESA professionals, curriculum and instruction professionals, and/or data analysis professionals.

5.24. County Steering Committee - A committee that includes parents and representatives from business, labor, higher education, economic development, local school improvement councils (one member from each programmatic level, pre-k-4, 5-8, 9-12), faculty senates (one teacher from each programmatic level, pre-k-4, 5-8, 9-12), students (one from each programmatic level 5-8 and 9-12) and other organizational entities in the community. (See Section 8.2.10.)

5.25. Course - An area of study defined by approved content standards and objectives. Schools shall provide intervention through a variety of strategies that may include, but are not limited to, restructuring the school day, providing extra tutorial sessions, utilizing appropriate technology, enrolling in distance learning, extending the school day, and/or extending the school year. See Section 6.4.5.b. for minute requirements for high school courses.

5.26. Curriculum - The content standards, objectives and performance descriptors for all required and elective content areas at each programmatic level.

5.27. Diploma - Formal documentation and recognition that a student has satisfactorily completed the graduation requirements of the state and county school district. A Standard Diploma is awarded to all students who have satisfactorily completed the graduation requirements of the state and county school district. A Modified Diploma may be awarded to eligible students with severe disabilities as specified in Sections 6.4.8. and 6.4.9.

## 126CSR42

5.28. Distinguished Educator - A professional educator, employed by WVDE, who has the responsibility of providing on-site technical assistance to schools identified for improvement.

5.29. Dual Credit Course - A course that provides students both high school and college credit. Such a course must meet both the specified course content standards and objectives for secondary offerings and the college course requirements.

5.30. Early Childhood Education - The education program that addresses the growth and development of young children using an integrated, developmentally appropriate approach as applicable to build the foundation knowledge in all curricular areas with an emphasis on the acquisition of skills in reading and mathematics. Early Childhood is divided into three subgroups: pre-k, primary elementary (k-2) and intermediate elementary (3-4). As children progress from pre-k to 4<sup>th</sup> grade, daily instruction should be designed to meet their changing educational and developmental needs.

5.31. Education Program - A structure for defining, delivering, and being accountable for a thorough and efficient system of education. This structure is applicable at the state, county, and school levels.

5.32. Elective Courses - Courses students may choose to study based on need and interest.

5.32.1. Required elective courses must be available to the student sometime during the appropriate programmatic level.

5.32.2. Optional elective courses may be made available by the county board of education, school or other entity based on student need and interest, but they are not required to be made available.

5.33. Eligible Exceptional Students - Those individuals who, in accordance with the requirements of 126CSR16, WVBE Policy 2419, Regulations for the Education of Exceptional Students (hereinafter Policy 2419), have been determined to be: a) gifted (grades 1-8) or exceptional gifted (grades 9-12) and b) in need of specially designed instruction, and/or who meet the definition of Eligible Students with Disabilities. (See Section 5.35.)

5.34. Eligible Limited English Proficient Students - Those individuals who, in accordance with the requirements of 126CSR15, WVBE Policy 2417, Programs of Study for Limited English Proficient Students (hereinafter Policy 2417), have been determined to be limited English proficient (hereinafter LEP) and in need of specially designed instruction.

5.35. Eligible Students with Disabilities - Those individuals who, in accordance with the requirements of Policy 2419, have been determined: a) to be autistic, behavior-disordered, blind and partially-sighted, speech/language impaired, deaf-blind, deaf or hard-

## 126CSR42

of-hearing, mentally impaired, orthopedically impaired or traumatically brain injured, or have other health impairments, preschool special needs or specific learning disabilities; and b) to be in need of specially designed instruction.

5.36. Encore Courses (or Encore Curriculum) - Courses such as health, physical education, technical education and career awareness grouped as a block in middle school. These courses are also referred to as related arts.

5.37. Enrichment - Instruction that allows the student to study a subject more broadly or in greater depth.

5.38. Extracurricular Time - Time that is not part of the required instructional day or curricular offerings but is under the supervision of the school. It may be used for athletics, non-instructional assemblies, social programs, entertainment and other similar activities. All rules and policies that apply to the instructional day also apply to extracurricular activities. (See Section 9.10.2. and 126CSR26, WVBE Policy 2436.10, Participation in Extracurricular Activities, hereinafter Policy 2436.10.)

5.39. Five-Year School Strategic Plan - A plan that specifies how the school intends to increase student achievement. The plan must be developed through a strategic planning process and must be based on all available data regarding student achievement. (See Sections 8.3.23. and 13.2.1.)

5.40. Five-Year Unified Strategic Plan - A plan that specifies how the county school system intends to strengthen the county education program in order to increase student achievement. The plan must be developed through a strategic planning process. (See Sections 8.2.5. and 13.1.1.)

5.41. Foundation Course - An elective courses that enhances students' skills or provides an introduction to further in-depth studies in a technical concentration. These courses are generally offered at the 9<sup>th</sup> or 10<sup>th</sup> grade levels. Examples include technology education, family and consumer science, and business courses taken outside of a business-related major.

5.42. Grade Level - The class structure that is used to organize and deliver education within West Virginia public schools. The public school education experience is divided into levels, pre-k-12.

5.43. Graduation Requirements - The number of required and elective units of credit that must be earned by a student in order to be graduated from high school. A diploma is the document that is awarded to a student to verify completion of these graduation requirements. (See Section 6.4.5.)

5.44. Honors Courses or Programs - Courses or programs that expand the academic content in a given program of study and may include, but are not limited to,

## 126CSR42

research and in-depth studies, mentorships, internships, content-focused seminars and extended instruction in a content area.

5.45. Individualized Education Program (hereinafter IEP) - A written plan, developed by both regular and special educators, parents, related service personnel and the student describing the specially designed instruction needed for an eligible exceptional student to master the content standards and objectives.

5.46. Instructional Day - Time allocated within the school day for the teaching and mastery of content standards and objectives. The minimum instructional day for grades k-4 is 315 minutes, grades 5-8 is 330 minutes, and grades 9-12 is 345 minutes.

5.47. Instructional Practices - The strategies, procedures, methods, techniques and behaviors used by teachers to help students attain mastery of the content standards and objectives of a content area.

5.48. Instructional Term - The period of time from the opening of school to the closing of school. The specific dates for each county's instructional term are set by the county board of education and must include a minimum 180 days of instruction. (W. Va. Code §18-5-45)

5.49. Integrated Mathematics - Mathematics courses that feature strands of algebra and function, geometry and trigonometry, statistics and probability, and discrete mathematics. These four strands are connected within units by fundamental ideas such as symmetry, recursion, function, data analysis and curve fitting. The strands are also connected by mathematical habits of mind (e.g., searching for and describing patterns, making and checking conjectures).

5.50. International Baccalaureate (hereinafter IB) - A comprehensive two-year international curriculum designed for highly motivated secondary school students aged 16-19. IB is a rigorous pre-university course of study that leads to examinations. IB students generally receive college credit for successful completion of IB courses. (See Section 6.4.3.a.D.(d).)

5.51. Intervention - Additional instruction and time, utilizing multiple strategies and assessments, to ensure student mastery of the content standards. The practice of removing students from any required course for intervention is discouraged.

5.52. Juried Lesson Plans - Instructional units, normally web-based, covering any number of class periods, that have been aligned to content standards, reviewed by teachers, and shown to be effective based on actual use in the classroom.

5.53. Local School Improvement Council (hereinafter LSIC) - A local advisory group composed of three teachers, three parents, two service employees, the principal, two at-large members appointed by the principal, and one student from a school enrolling

## 126CSR42

students in grade 7 or higher. The LSIC focuses on improving the education program and operation of the school; has authorization to request waivers of local or state rules, policies and state superintendent interpretations; assists in the development of the Unified School Improvement Plan (or strategic plan); and can apply for grants and awards.

5.54. Middle Level Education - The education program that transitions students from the early childhood program and into the adolescent education program by creating small learning communities of adults and students in which stable and mutually respectful relationships support all students' intellectual, ethical, and social growth. Middle level education encompasses all curricular, co-curricular and extracurricular programs in grades 5-8.

5.55. Modified Diploma - Formal documentation and recognition that an eligible student with severe disabilities, who is unable to meet the graduation requirements for a standard diploma, has met the modified requirements specified by an Individualized Education Program (hereinafter IEP) Team on the student's IEP.

5.56. Multicultural Education - A program that fosters an attitude of understanding and acceptance of individuals from a variety of cultural, ethnic, racial and religious backgrounds. (See Section 9.7. and 126CSR18, WVBE Policy 2421, Racial, Sexual, Religious/Ethnic Harassment and Violence Policy, hereinafter Policy 2421.)

5.57. Objective - A step or component that describes grade level or course expectations for a content standard.

5.58. Pathway - Designation of a student's intended postsecondary goal within the individualized student transition plan and the level and sequence of courses needed to achieve that goal. The three pathways are Professional (Baccalaureate Degree or above); Skilled (Associate Degree or Postsecondary Certificate); and Entry (entry into the workplace directly after high school).

5.59. Performance Descriptors - Narrative descriptions of how well students achieve success on the content standards and objectives. West Virginia has designated five performance levels: distinguished, above mastery, mastery, partial mastery and novice. Performance descriptors depict student achievement at each of those five levels for each content standard at each grade level or course for which performance descriptors have been developed.

5.60. Performance Levels - Levels of student mastery of the content standards and objectives. The levels are "Novice," "Partial Mastery," "Mastery," "Above Mastery" and "Distinguished." Performance descriptors for each of these five levels are available for at least the core academic subjects. A general description of each performance level is listed below:

5.60.1. Distinguished - A student at this level has demonstrated exceptional

## 126CSR42

and exemplary performance. The work shows a distinctive and sophisticated application of knowledge and skills that go beyond grade level or course expectations.

5.60.2. Above Mastery - A student at this level has demonstrated competent and proficient performance and exceeds the standard. The work shows a thorough and effective application of knowledge and skills.

5.60.3. Mastery - A student at this level has demonstrated fundamental knowledge and skills that meet the standard. The work is accurate, complete and fulfills all requirements. The work shows solid academic performance in the course or grade level.

5.60.4. Partial Mastery - A student at this level has partially demonstrated fundamental knowledge and skills toward meeting the standard. The work shows basic but inconsistent application of knowledge and skills characterized by errors and/or omissions. Performance needs further development.

5.60.5. Novice - A student at this level has not demonstrated the fundamental knowledge and skills needed to meet the standard. Performance at this level is fragmented and/or incomplete and needs considerable development.

5.61. Performance Standards - A system of describing and categorizing student achievement which has four basic components: levels of performance (See Section 5.60.); performance descriptors (See Section 5.59.); cut scores from statewide assessments that set parameters for the designation of levels of performance; and exemplars of student work for each performance level. West Virginia has designated five performance levels: distinguished, above mastery, mastery, partial mastery and novice.

5.62. Pre-kindergarten (pre-k) - The education program for all four-year-old children and three-year-old children with identified special needs that addresses the growth and development of children in the areas of social/emotional growth, the arts, physical health, language and literacy, mathematics, social studies and science. West Virginia's pre-k is a readiness system designed to promote the success of children in kindergarten and lifelong learning. (See 126CSR28, WVBE Policy 2525, West Virginia's Universal Access to Early Education System.)

5.63. Process/Workplace Skills - Skills required for success in a career and the workplace including the ability to organize, plan, reason and use information to solve problems; communicate orally and in writing; work effectively with others; understand and use technology; develop personal skills and attributes; and plan and prepare for a career.

5.64. Proficient - Student performance at mastery level or above. The term is used in the accountability system to designate students who are at an acceptable level of performance on the statewide assessment.

5.65. Program of Study - The selection of courses, that when delivered effectively,

## 126CSR42

enables students to master the knowledge and skills needed to succeed in their chosen clusters and majors and leads to success in the workplace and post-secondary education.

5.66. Programmatic Level - A component of the pre-k-adult educational spectrum that addresses the developmental needs of one age group of students. Programmatic levels described in this document include Early Childhood Education (grades pre-k-4), Middle Level Education (grades 5-8), Adolescent Education (grades 9-12) and Adult Education.

5.67. Reinventing Education Web Site - A web site or service that provides a broad array of educational resources including juried and other lesson plans aligned with content standards, research and best practice information, web pages for teachers, professional development, instructional assistance and links to other educational sites.

5.68. Required Courses - Those courses that all students must complete.

5.69. Robert C. Beach Vocational Agriculture Credit - A science credit available to students with a declared entry or skilled level major in vocational agriculture who will, upon their successful completion of a unit of credit in an approved vocational agriculture course above grade 10, be exempt from the third unit of science credit required for graduation. Students with declared majors in vocational agriculture at the professional level are required to take four units of science as defined by this policy and 126CSR44C, WVBE Policy 2520.3, Science Content Standards and Objectives for West Virginia Schools for graduation. (See Chart V (B), footnote 2.)

5.70. School Day - The time, inclusive of the instructional day, homeroom, class changes, breaks/recess, lunch, and other non-instructional activities from the first designated assembling of the student body in groups (homeroom or first period) to the dismissal of the student body.

5.71. School Improvement - A continuous process to increase student achievement. School improvement builds the capacity of all entities, both state and local, to improve student success.

5.72. School Support Team - A group of school representatives who are responsible for analyzing all facets of a school's operation and making recommendations for improving student performance in the school. The school support team members are appointed by the principal and may include representatives from the Curriculum Team, Faculty Senate, Technology Team, and/or LSIC.

5.73. Semester - A block of instructional time that is equivalent to at least one-half of the school year. For example, 90 instructional days are equal to a semester in a traditional school term of 180 instructional days.

## 126CSR42

5.74. Student Assistance Team – A trained school-based team that manages a formalized intervention process to address the academic, behavior and personal development needs of all students. See Section 9.9. for team composition and responsibilities.

5.75. Technology Integration - The use of technology throughout content areas to help students master the content standards and develop skills for lifelong learning.

5.76. Unit of Credit - Recognition given to a student for the successful demonstration of mastery of the content standards and objectives at a level established for an approved required or elective high school level course consistent with this policy and 126CSR44A-126CSR44O, WVBE Policies 2520.1-2520.15, the series that contains content standards and objectives for West Virginia schools. Partial credit ( $\frac{1}{2}$  unit) may also be awarded. The level of mastery shall be in compliance with 126CSR37, WVBE Policy 2515, Uniform Grading (hereinafter Policy 2515). Individual students who demonstrate mastery of the content standards and objectives of a particular course must be provided opportunities to progress to the next level. Credit shall also be granted for documented mastery of high school course requirements by a student prior to grade 9 and for successful completion of a dual credit course.

5.77. Virtual School - An alternative delivery system for course content. The West Virginia Virtual School was created within the WVDE by the Legislature to provide a variety of high quality, technologically delivered courses for pre-k-12 public school students. The Virtual School initiative helps bridge the barriers of time, distance and inequities for all West Virginia students by providing access to resources. The Virtual School offers required courses, Advanced Placement courses and a variety of elective, enrichment, remediation and Information Technology (hereinafter IT) courses.

5.78. West Virginia Measures of Academic Progress - The comprehensive assessment system for West Virginia that measures student performance. These measures include West Virginia Educational Standards Test (WESTEST), End-of-Course exams, Alternate Assessment, Writing Assessment, American College Test (hereinafter ACT) EXPLORE, ACT PLAN, and National Assessment of Educational Progress (hereinafter NAEP). (See Section 10.1.)

5.79. West Virginia Report Card - Information provided to parents and the general public on the quality of education in the public schools that is uniform and comparable among schools within and among the various school districts as defined in W. Va. Code §18-2E-4.

5.80. Work Based Learning - A structured activity that correlates with and is mutually supportive of the school-based learning of the student and includes specific objectives to be learned by the student as a result of the activity. This assists students in gaining an awareness of the workplace; developing an appreciation of the relevance of

## 126CSR42

academic subject matter to workplace performance; and gaining valuable work experience and skills while exploring career interests and abilities. (See Section 6.4.4.)

5.81. Work Day - Time allocated for the instructional day and other activities such as homeroom, class changes, lunch, planning periods, and staff development that may not exceed eight clock hours.

5.82. Writing Across the Curriculum - Writing instruction and practice that is applied throughout all content areas. (See Section 9.6.)

5.83. WV EDGE (West Virginia Earn a Degree - Graduate Early) – A program that allows students to take high school courses for community and technical college credit. EDGE courses are based on an alignment between the content standards and objectives of WVDE approved courses and the syllabi of community and technical college courses. Students enrolled in high school courses approved for EDGE earn credit by passing a qualifying exam. The ultimate goal of the EDGE program in West Virginia is to allow a student to earn an associate degree concurrently with earning a high school diploma.

### **§126-42-6. Program Definition.**

6.1. The education program offered in West Virginia's schools is defined in broad terms as all of the education activities that take place during the school day and the school year. The education program provides education opportunities for students to master the basic skills and to develop the broader knowledge and skills necessary to function effectively in responsible adult roles. The education program is based upon the best information available regarding effective practices and information that is provided through scientifically based research so that the program of education is efficient and effective. The education program is structured and based on four programmatic levels: early childhood education, middle level education, adolescent education, and adult education. Each county board of education shall establish policies and implement written procedures to define its education program in accordance with the definitions and requirements that follow.

6.2. Early Childhood Education (Grades pre-k-4) - Programs for children in early childhood shall address the holistic needs of the child and be based on the child's developmental level. Cognitive, social/emotional and physical development needs to be addressed as inter-related areas of development. The focus for cognitive development is the acquisition of reading, English language arts and math skills. Skill building, technology utilization and learning for young children require teachers to be knowledgeable about child development and skilled in providing classrooms and instruction that meet children's needs. For grades pre-k-3, informal assessments, as well as formal assessments, will be used to guide daily instruction. Appropriate assessments improve the quality of classroom instruction by being responsive to individual student's needs.

## **Chart I**

### **Pre-kindergarten (Pre-k)**

West Virginia's pre-k is a readiness program designed to build the skills children need to be successful in kindergarten and as a foundation for lifelong learning. Research supports the need for a balance of teacher-directed and child-initiated instruction. The pre-k classroom should have the time, space, and materials necessary to create effective environments for learning.

Teachers in pre-k must be purposeful in planning and providing classrooms where learning and practice take place in the context of play. In West Virginia's pre-k program, the emphasis is on cognitive, social/emotional, and motor development. These areas are inter-related and cannot be addressed in isolation.

Knowing the developmental sequence of skill acquisition is fundamental for providing high quality pre-k classrooms. Learning activities shall be simultaneously provided for children at different stages of development. Experiencing the world is a young child's work, thus the classroom environment is a key factor in the provision of high quality learning experiences for young children. Classrooms should be designed and equipped in a manner that supports discovery, small group and individual learning, exploration, problem solving, and development. Children in pre-k will have daily opportunities for experiences in the following content areas:

**Language and Literacy**  
**Mathematics**  
**Science**  
**Physical Health**  
**The Arts**  
**Social Studies**  
**Social/Emotional Development**

The acquisition of oral language and building literacy skills shall be a primary focus. Pre-k classrooms must provide print rich and language rich environments. Learning centers are required for pre-k classrooms. These learning centers are to be purposefully arranged to support learning.

Daily instruction in pre-k shall be individualized, based on informal and formal assessments, and address the West Virginia pre-k content standards and objectives (126CSR44O, WVBE Policy 2520.15, West Virginia Early Learning Standards Framework, Content Standards and Learning Criteria for West Virginia Pre-Kindergarten (WV Pre-k)).

## **Chart II Primary Elementary (K-2)**

The focus for k-2 is building strong reading, English language arts, and math skills. Learning environments shall be print rich and provide manipulatives for hands-on learning in mathematics. Children in kindergarten through 2<sup>nd</sup> grade span a broad spectrum of development. The developmental level of each child is significant in the offering of daily instruction. Teachers shall utilize a variety of teaching strategies, including the integration of technology, to assure that all children are mastering the content knowledge.

In k-2 classrooms, the following content areas are taught daily. It is required, in accordance with scientifically based reading research, that, at a minimum, a daily-uninterrupted 90 minutes reading block would be scheduled. A minimum of 60 minutes of daily mathematics instruction is required.

### **Reading and English Language Arts Mathematics**

---

In k-2 classrooms, not less than 30 minutes of physical education, including physical exercise and age appropriate physical activities, for not less than three days a week shall be provided. Schools which do not currently have the number of certified physical education teachers or required physical setting may develop alternate programs that will enable current staff and physical settings to be used to meet the physical education requirements. The alternate programs shall be submitted to the WVDE and the Healthy Lifestyle Council for approval. Those schools needing to develop alternate programs shall not be required to implement this program until the school year commencing 2006.

### **Physical Education**

---

All content areas may be integrated into classroom instruction and must be taught in a manner that supports the acquisition of strong reading, language arts and mathematics skills. Specific content area instruction in the following content areas may or may not be offered daily.

**Science  
Social Studies  
Visual Art  
Music  
Health**

## **Chart II**

### **Primary Elementary (K-2), cont'd**

Instruction in k-2 classrooms will be individualized and driven by informal and formal assessments to help children attain the performance level of mastery or above as delineated in the approved West Virginia content standards and objectives. Strategies for early detection and intervention to correct student deficiencies in reading, language arts, and mathematics shall be employed throughout the instructional term in each of the primary elementary and intermediate elementary grades.

Components of career awareness and the application of technology shall be included during instruction in all subjects. The study of foreign language is encouraged.

## **Chart III**

### **Intermediate Elementary (3-4)**

Children in intermediate elementary may be developmentally ready for instruction that is content area focused. This does not preclude the use of integrated instruction. Intermediate elementary students are beginning the transition into middle childhood. An emphasis on the developmental level of these intermediate elementary students must be a continued consideration.

Intermediate elementary students will be taught the following content areas daily. It is required, in accordance with scientifically based reading research, that, at a minimum, 90 minutes of reading and English language arts instruction be provided which shall include 60 minutes of uninterrupted daily reading instruction. A minimum of 60 minutes of daily mathematics instruction is required. Flexibility is permitted in scheduling the time allotted for science and social studies so that the equivalent of daily instruction is provided.

**Reading and English Language Arts**  
**Mathematics**  
**Science**  
**Social Studies**

---

Intermediate elementary students shall be provided not less than 30 minutes of physical education, including physical exercise and age appropriate physical activities, for not less than three days a week. Schools which do not currently have the number of certified physical education teachers or required physical setting may develop alternate programs that will enable current staff and physical settings to be used to meet the physical education requirements. The alternate programs shall be submitted to the WVDE and the Healthy Lifestyle Council for approval. Those schools needing to develop alternate programs shall not be required to implement this program until the school year commencing 2006.

**Physical Education**

---

The following content areas will be offered with frequency sufficient to achieve mastery of the West Virginia approved content standards and objectives for those areas and meet the needs of children.

**Visual Art**  
**Music**  
**Health**

---

## **Chart III**

### **Intermediate Elementary (3-4), cont'd**

For intermediate elementary students, daily classroom instruction will be based on a variety of assessments that provide for the individualization of instruction. Schedules for intermediate elementary students shall allow the flexibility necessary to provide additional time and instruction for students who are below mastery in reading, English language arts, and mathematics. Teachers in intermediate elementary classrooms shall utilize a variety of instructional strategies, including the integration of technology, to assure that all students reach the performance level of mastery or above on the West Virginia content standards and objectives. Strategies for early detection and intervention to correct student deficiencies in reading, language arts, and mathematics shall be employed throughout the instructional term in each of the primary elementary and intermediate elementary grades

Components of career awareness and the application of technology shall be included during instruction in all subjects. The study of foreign language is encouraged.

## **126CSR42**

6.3. Middle Level Education (Grades 5-8) - Middle level education builds upon the results of early childhood education and transitions students into the adolescent education program. Middle level education provides unique, age-appropriate educational opportunities that challenge all students to use their minds well, providing them with the curriculum, instruction, assessment, support, technology, and time they need to achieve rigorous academic standards. Students are provided opportunities for both independent inquiry and learning in cooperation with others. Middle level programming is challenging and engaging, tapping the young adolescents' boundless energy, interests and curiosity through rich exploratory experiences. Students learn to understand important concepts, develop essential skills and apply what they learn to real-world problems. The creation of small learning communities of adults and students produce stable and mutually respectful relationships that support all students' intellectual, ethical and social growth.

## **Chart IV Middle Level (5-8)**

These required core courses shall be taught daily by a team of qualified teachers. An intervention component will ensure mastery of the rigorous content standards and objectives at each grade level. The core courses will be offered within a block of time equal to a minimum of 225 minutes daily of which 90 minutes shall be reading and English/language arts.<sup>1</sup> The principal and the team of teachers will determine time allocations that effectively address the academic needs of students who are below mastery in the basic skills of reading, writing and mathematics. Schools implementing alternative schedules will provide adequate time to achieve mastery of the West Virginia content standards and objectives for each of the required courses.

**Reading and English Language Arts**  
**Mathematics**  
**Science**  
**Social Studies**

---

Fifth grade students shall be provided not less than 30 minutes of physical education, including physical exercise and age appropriate physical activities, for not less than three days a week. Students in grade six to and including grade eight shall be provided not less than one full period of physical education, including physical exercise and age appropriate physical activities, each school day of one semester of the school year. Schools which do not currently have the number of certified physical education teachers or required physical setting may develop alternate programs that will enable current staff and physical settings to be used to meet the physical education requirements. The alternate programs shall be submitted to the WVDE and the Healthy Lifestyle Council for approval. Those schools needing to develop alternate programs shall not be required to implement this program until the school year commencing 2006.

**Physical Education**<sup>3</sup>

---

These required courses are considered part of the encore curriculum and shall be taught at each grade level each year as separate subjects with adequate time to achieve mastery of the West Virginia CSOs.

**Visual Art**  
**Music**<sup>2</sup>  
**Health**

---

## Chart IV Middle Level (5-8), cont'd

Foreign language shall be offered annually.

### Foreign Language <sup>4</sup>

---

These required programs shall be implemented annually.

### Advisory/Comprehensive School Guidance and Counseling <sup>5</sup> Career Exploration <sup>6</sup> Technology <sup>7</sup>

#### Footnotes to Chart IV

- <sup>1</sup> The LEA may compact the reading and English language arts curriculum into a forty-five minute course when 7<sup>th</sup> or 8<sup>th</sup> grade students who elect to accelerate their learning by enrolling in Levels 1A and 1B of a foreign language for high school credit are also enrolled in another elective program such as instrumental or vocal music. The intent is that the compacted reading and English language arts program will reflect academic rigor and be designed to prepare these students for success in a high school college preparatory program of studies.
- <sup>2</sup> Choral and instrumental music must be offered no later than grade 6. Chorus or instrumental music may substitute for the required music course at each grade level.
- <sup>3</sup> Middle grades schools should recognize that healthy lifestyles and academic success are tightly interwoven. Therefore, schools should promote wellness programs that extend beyond the course requirements for physical education and health. This may be accomplished through strong intramural programs that focus on skill development, sportsmanship and teamwork, while keeping the middle grades students physically active throughout the school year. Wellness programming should target the widespread behaviors that undermine the health and resulting capacity for personal success during adolescence.
- <sup>4</sup> The teaching of foreign language as a separate course in grades five and six is encouraged. Two years of the same foreign language must be offered for students in grades seven and eight. The foreign language(s) chosen to be offered must be taught at the high school the middle school students will attend. This is to encourage students to take longer sequences of foreign language study. Schools may choose from two of the following learning sequences until the fall of 2008:

## **126CSR42**

Recommended Learning Sequence: Seventh grade Level 1A of the foreign language and 8<sup>th</sup> grade Level 1B of the language. The Level 1 course is delivered over a two-year period. Students will receive one high school credit upon mastery of the content standards for the Level 1 course.

Acceptable Learning Sequence: Seventh grade exploratory course(s) and 8<sup>th</sup> grade Level 1 of the foreign language. Students will receive one high school credit at the end of 8<sup>th</sup> grade upon mastery of the content standards for the Level 1 course.

Beginning in the fall of 2008, 7<sup>th</sup> grade foreign language will be Level 1A and 8<sup>th</sup> grade foreign language will be Level 1B. The Level 1 course is delivered over a two-year period. Students will receive one high school credit upon mastery of the content standards for the Level 1 course.

**Footnotes to Chart IV, cont'd.**

- <sup>5</sup> Students in grades 5-8 should be provided with an adult advocate, advisor, or mentor who takes an interest in the student's successful learning, goal setting, career planning and personal growth. It is strongly recommended that schools implement an organized advisory program. Implementation of an advisory program allows schools to remove the randomness of interpersonal associations for students by personalizing their learning environment. When designing and implementing an advisory program, principals and teachers will help students make connections between the various components of middle childhood education by integrating an organized comprehensive guidance curriculum; career exploration and educational planning; interpretation and application of assessment information in a meaningful way to guide academic planning; and purposeful connections with the core and encore curricula.
- <sup>6</sup> Career exploration and the application of technology shall be provided to students during grades 5-8. These experiences may be integrated or taught as a separate course. Where feasible, consideration should be given to using modular technology education labs to deliver exploratory courses that will enhance career exploration. The test scores and guidance information gathered by ACT EXPLORE, as well as other assessment data, will be used to assist 8<sup>th</sup> grade students in developing an individualized student transition plan. With guidance during well-planned activities, second semester 8<sup>th</sup> grade students, in consultation with their parents/guardian, advisor and counselor, will examine their EXPLORE results and determine the coursework and other requirements needed to achieve their postsecondary education and career goals. This is best accomplished by integrating these activities into an organized advisory program.
- <sup>7</sup> Students in grades 5-8 shall be provided the opportunities to master the student technology standards. By the end of 8<sup>th</sup> grade, students will demonstrate technology literacy and skills to meet the standards in grades k-8 in 126CSR44N, WVBE Policy 2520.14: Technology Content Standards and Objectives for West Virginia Schools (hereinafter Policy 2520.14).

## 126CSR42

6.3.1. An Individualized Student Transition Plan covering grades 9-12 and the first year beyond graduation from high school is developed for every student in consultation with her/his parents/guardian and school counselor or advisor.

a. During the 8<sup>th</sup> grade year, each student's plan is developed for grades nine and ten. The plan is based upon previous career awareness, exploration activities, and a review of the student's ACT EXPLORE results. The 8<sup>th</sup> grade guidance/advisement program will focus on teaching students and their parents to read the ACT EXPLORE student reports so that they may understand how to use the information provided within the Educational Planning and Assessment System (hereinafter EPAS) reports to transition to the level of performance required to meet the student's educational goals.

b. Each student, in consultation with his or her parents/guardian and school counselor or advisor, selects a broad career cluster for exploration in grades nine and ten and develops the plan based upon the choice of a career cluster. The student shall designate an educational pathway (professional, skilled, entry) at this time. The student may amend his/her plan at the end of any semester.

c. For eligible gifted students the plan is developed during the 8<sup>th</sup> grade year by an IEP Team and includes the honors and Advanced Placement and/or IB classes that must be provided for the student in grades 9-12.

d. For eligible students with disabilities the plan is developed during the 8<sup>th</sup> grade by an IEP Team.

e. The parent(s)/guardian and student each sign and receive a copy of the plan.

f. Students will select career majors during their 10<sup>th</sup> grade year. This process is described in Section 6.4.3.

6.4. Adolescent Education (Grades 9-12) - Adolescent education provides students the intellectual, social/emotional, physical, and technological capacities for successful entry into adulthood. The adolescent education program provides challenging and rigorous courses in the programs of study that will enable students to achieve high levels of competence so they can complete graduation requirements and be prepared to successfully enter and compete in the workplace and in post-secondary education. Students in the adolescent education program will have the opportunity to examine a system of career clusters and to select and complete a career major.

## Chart V (A)

### Graduation Requirements Adolescent (9-12)

These graduation requirements are effective for students entering grade 9 in the school years 1999-2000 through 2003-2004.

<b>English Language Arts</b>	4 credits
	English 9, 10, 11, 12
<b>Mathematics*</b>	3 credits
	Two of the three credits will be Algebra I and above.
<b>Science**</b>	3 credits
	Coordinated and Thematic Science (hereinafter CATS) 9, Coordinated and Thematic Science 10, and one course above the Coordinated and Thematic Science 10 level.
<b>Social Studies</b>	3 credits
	United States to 1900, World Studies to 1900, and Twentieth/Twenty-First Centuries
<b>Physical Education</b>	1 credit
<b>Health</b>	1 credit
<b>The Arts</b>	1 credit
<b>Career Majors***</b>	4 credits
	Career majors are to be determined at the local school or county level.
<b>Electives</b>	4 credits
	Electives will be chosen from the school's offerings of elective courses.
<b>Work-based Learning****</b>	
	Work-based learning will be determined at the local level.

Credit is to be awarded based upon either demonstrated mastery of the content standards and objectives through successful completion of the course or through tested mastery of approved content standards. In compliance with Policy 2515, the county board of education shall determine the level of mastery which constitutes successful completion of a course. Students demonstrating mastery of instructional grade level objectives in the subjects are to be provided the opportunity to advance to the next grade level objectives.

\* Successful completion of Applied Math I and II is equivalent to an Algebra I credit. Applied Geometry may be substituted for a formal course of geometry.

\*\* With parental/guardian consent, students with a declared entry or skilled level major in vocational agriculture will, upon successful completion of a Robert C. Beach Vocational Agriculture credit in grade 11 or 12, be exempt from the third required unit of credit in science. (See Section 5.67.)

\*\*\* Prior to students selecting career majors, opportunities for career decision making must be provided.

\*\*\*\* The decision regarding credit for the experiences at grades 9-12 will also be made at the local level.

All students are strongly encouraged to complete two credits in a foreign language. Elective offerings not based on WVBE content standards and objectives must have written content standards and objectives approved by the county board of education.

## Chart V (B) Graduation Requirements Adolescent (9-12)

These graduation requirements are effective for students entering grade 9 in the school year 2004-2005. Courses needed for graduation require mastery of approved content standards and objectives. Students who do not demonstrate mastery of the content standards and objectives shall be provided extra help and extra time through intervention strategies.

<b>CORE REQUIREMENTS (17 Credits)</b>	
<p><b>Reading and English Language Arts</b> <b>4 credits</b> English 9, 10, 11, 12</p> <p><b>Mathematics<sup>1</sup></b>    <b>3 credits</b> <i>Two of the three credits will be Algebra and above</i></p> <p><b>Science<sup>2</sup></b>    <b>3 credits</b> <i>CATS 9, CATS 10, and One course above the CATS 10 level</i></p>	<p><b>Social Studies</b>    <b>4 credits</b> <i>United States to 1900 World Studies to 1900 Twentieth and Twenty-First Centuries Civics/Government</i></p> <p><b>Physical Education</b>    <b>1 credit</b></p> <p><b>Health</b>    <b>1 credit</b></p> <p><b>The Arts</b>    <b>1 credit</b></p>

<b>CAREER MAJOR COURSES (4 Credits)</b>		
<b>Professional Pathway</b>	<b>Skilled Pathway</b>	<b>Entry Pathway</b>
<p>Mathematics—4<sup>th</sup> credit (which must be above Algebra I)<sup>1</sup></p> <p>Science--4<sup>th</sup> credit (which must be above CATS 10)</p> <p>Foreign Language— 2 credits in one language</p>	<p>Mathematics—4<sup>th</sup> credit (which must be above Algebra I)<sup>1</sup></p> <p>Concentration--3 credits<sup>3</sup></p>	<p>Concentration-- 4 credits<sup>3</sup></p>

<b>ELECTIVES (3 Credits)</b>
The remaining graduation requirements are to be electives.

<b>CAREER DEVELOPMENT</b>
---------------------------

Prior to students selecting career majors, opportunities for career decision-making must be provided in grades 9-10.
--

<b>WORK-BASED LEARNING</b>
----------------------------

All students must participate in a work-based learning experience at some time in grades 9-12. If credit is granted for these experiences, content standards and objectives will be developed and approved at the local level. (See Section 6.4.4.)
---

**Footnotes for Chart V (B)**

- <sup>1</sup> Students in the professional and skilled pathways must earn four credits in mathematics, including Algebra I and two other courses above Algebra I. Successful completion of Applied Math I and II is equivalent to an Algebra I credit and a credit for a course prior to Algebra I. All students must take Algebra I or its equivalent prior to the end of the 10<sup>th</sup> grade.
- <sup>2</sup> With Parental/Guardian consent, students with a declared entry or skilled level major in vocational agriculture will, upon successful completion of a Robert C. Beach Vocational Agriculture credit in grade 11 or 12, be exempt from the third required unit of credit in science. To be eligible as a required unit for graduation, the vocational agriculture education course must: (1) build on the concepts and skills in CATS 9; (2) be taught at a level of greater complexity and depth than that of vocational agriculture courses in grades 9 and 10; (3) have WVBE approved content standards and objectives; and (4) receive WVBE approval as a vocational agriculture course that qualifies as a Robert C. Beach Vocational Agriculture credit. (See Section 5.69.) The school shall: (1) have on file a Parental/Guardian Consent Form with signatures of the student, parent/guardian(s) and authorized school official, that acknowledges the understanding that this class does not represent a substitute for the knowledge, skills and competencies of a third unit of science and that this course does not meet the requirement for the additional unit of laboratory science that West Virginia colleges and universities have for admission; and (2) review with the student and his/her parents/guardians, as verified by the Parental/Guardian Consent Form, that the required third unit of science must be successfully completed if a student should change his/her major from entry or skilled level vocational agriculture education prior to graduation from high school.
- <sup>3</sup> Concentration credits are to be taken by students in both academic and technical career majors. The four concentration units provided students in entry-level technical majors and two of the concentration units at the skilled level must be consistent with those defined in the Required Technical Courses by Career Major technical assistance document published by the WVDE. Each technical concentration in a school shall obtain and maintain an appropriate industry recognized accreditation/certification, when one is available, and shall provide students the opportunity to obtain an industry-recognized credential as part of the instructional program.

## Chart V (C)

### Graduation Requirements Adolescent (9-12)

These graduation requirements are effective for students entering grade 9 in the school year 2005-2006 and thereafter. Courses needed for graduation require mastery of approved content standards and objectives. Students who do not demonstrate mastery of the content standards and objectives shall be provided extra help and extra time through intervention strategies.

<b>CORE REQUIREMENTS (18 Credits)</b>	
<p><b>Reading and English Language Arts 4 credits</b> English 9, 10, 11, 12</p> <p><b>Mathematics<sup>1</sup> 4 credits</b> (3 credits required for entry pathway students entering 9<sup>th</sup> grade in 2005-2006) (4 credits required for all entering 9<sup>th</sup> grade students in 2006-2007)</p> <p><b>Science<sup>2</sup> 3 credits</b> CATS 9, and <i>Two courses above the CATS 9 level</i></p>	<p><b>Social Studies 4 credits</b> <i>United States to 1900</i> <i>World Studies to 1900</i> <i>Twentieth and Twenty-First Centuries</i> <i>Civics/Government</i></p> <p><b>Physical Education 1 credit</b></p> <p><b>Health 1 credit</b></p> <p><b>The Arts 1 credit</b></p>

<b>CAREER MAJOR COURSES (3 Credits)</b>		
<b>Professional Pathway</b>	<b>Skilled Pathway</b>	<b>Entry Pathway</b>
<p>Mathematics - 4 credits (at least 3 of the 4 credits must be Algebra I and above.)</p> <p>Science--4<sup>th</sup> credit (which must be above CATS 9)</p> <p>Foreign Language-- 2 credits in one language</p>	<p>Mathematics – 4 credits (at least 3 of the 4 credits must be Algebra I and above.)</p> <p>Concentration 3 credits<sup>3</sup></p>	<p>Mathematics – 3 credits (For students entering 9<sup>th</sup> grade in 2005-2006, three (3) math credits are required with at least 2 of the 3 credits being Algebra I and above.)</p> <p>Mathematics – 4 credits (For students entering 9<sup>th</sup> grade in 2006-2007, four (4) math credits are required with at least 2 of the 4 credits being Algebra I and above.)</p> <p>Concentration--3-4 credits<sup>3</sup></p>

<b>ELECTIVES (3 Credits)</b>
The remaining graduation requirements are to be electives.

<b>CAREER DEVELOPMENT</b>
---------------------------

Prior to students selecting career majors, opportunities for career decision-making must be provided in grades 9-10.
--

<b>WORK-BASED LEARNING</b>
----------------------------

All students must participate in a work-based learning experience at some time in grades 9-12. If credit is granted for these experiences, content standards and objectives will be developed and approved at the local level. (See Section 6.4.4.)
---

**Footnotes for Chart V (C)**

- <sup>1</sup> It is the intent that all students will take mathematics annually, but must take at least three mathematics classes in grades 9-12. If students begin the math sequence prior to grade 9, they should take other mathematics courses, which may include college courses, AP courses, virtual school courses, or other advanced offerings. This principle applies to all required course sequences. The mathematics courses selected for credit must be relevant to the student's career pathway. Successful completion of Applied Math I and II is equivalent to an Algebra I credit and a credit for a course prior to Algebra I.
- <sup>2</sup> With Parental/Guardian consent, students with a declared entry or skilled level major in vocational agriculture will, upon successful completion of a Robert C. Beach Vocational Agriculture credit in grade 11 or 12, be exempt from the third required unit of credit in science. To be eligible as a required unit for graduation, the vocational agriculture education course must: (1) build on the concepts and skills in CATS 9; (2) be taught at a level of greater complexity and depth than that of vocational agriculture courses in grades 9 and 10; (3) have WVBE approved content standards and objectives; and (4) receive WVBE approval as a vocational agriculture course that qualifies as a Robert C. Beach Vocational Agriculture credit. (See Section 5.69.) The school shall: (1) have on file a Parental/Guardian Consent Form with signatures of the student, parent/guardian(s) and authorized school official, that acknowledges the understanding that this class does not represent a substitute for the knowledge, skills and competencies of a third unit of science and that this course does not meet the requirement for the additional unit of laboratory science that West Virginia colleges and universities have for admission; and (2) review with the student and his/her parents/guardians, as verified by the Parental/Guardian Consent Form, that the required third unit of science must be successfully completed if a student should change his/her major from entry or skilled level vocational agriculture education prior to graduation from high school.
- <sup>3</sup> Concentration credits are to be taken by students in both academic and technical career majors. entry level career and technical students must complete four units in a concentration. The four concentration units provided students in entry-level technical majors and two of the concentration units at the skilled level must be consistent with those defined in the Required Technical Courses by Career Major technical assistance document published by the WVDE. Each technical concentration in a school shall obtain and maintain an appropriate industry recognized accreditation/certification, when one is available, and shall provide students the opportunity to obtain an industry-recognized credential as part of the instructional program.

## Chart VI (A) Electives Adolescent (9-12) (Effective until July 1, 2004)

### READING AND ENGLISH LANGUAGE ARTS

Drama  
Journalism\*\*\*  
Mass Media  
Television  
Film  
Speech\*\*\*  
Creative Writing  
Technical Writing  
Desk Top Publishing  
AP English Courses  
English College Courses

### SCIENCE\*\*

Advanced Biology (11/12)  
Biology - Technical Conceptual (11/12)  
Advanced Chemistry (11/12)  
Chemistry - Technical Conceptual  
(11/12)  
Advanced Environmental/Earth Science  
(11/12)  
Human Anatomy & Physiology  
Advanced Physics (11/12)  
Physics - Technical Conceptual (11/12)  
AP Science Courses  
Science College Courses

### MATHEMATICS\*

Applied Mathematics I\*  
Applied Mathematics II\*  
Geometry/Applied Geometry\*  
Algebra II\*  
Conceptual Mathematics  
Trigonometry  
Probability and Statistics  
Pre-Calculus  
Discrete Mathematics  
Algebra/Geometry Preparation  
Algebra Support  
AP Mathematics Courses  
Mathematics College Courses

### SOCIAL STUDIES

Civics/Government\*\*\*  
Economics\*\*\*  
Geography\*\*\*  
AP Social Studies Courses  
Social Studies College Courses

\* Indicates math courses required to be offered. Schools must offer four courses in mathematics at a level above Algebra I.

\*\* A minimum of one course for each of the four fields of science (Biological Sciences, Chemistry, Environmental Earth Sciences, and Physics) must be offered.

\*\*\* Required to be offered.

## **Chart VI (A), cont'd.**

### **Electives Adolescent (9-12) (Effective July 1, 2004)**

#### **THE ARTS**

Electives must be offered to accommodate four sequential levels of student achievement in music (both instrumental and choral), visual art (general art and/or studio art), dance and theatre. Additional elective offerings may be made available based upon student need and interest.

#### **CAREER CLUSTERS AND MAJORS**

Career cluster options must be made available to students to ensure that students understand the breadth and scope of careers in the world of work. Required career major courses and required electives within the majors will be determined by county board of education. See Section 6.4.3.a. for rules allowing students to take a higher level or more rigorous course, advanced placement course, or college course in place of a course in the program of study. Career majors must reflect, where appropriate, professional, skilled, and entry pathway components.

#### **DRIVER EDUCATION**

A minimum of one course must be offered.

#### **FAMILY AND CONSUMER SCIENCE**

Two elective offerings that include content standards and objectives that teach parenting skills to meet the stipulations of W. Va. Code §61-8-9A, must be offered.

#### **FOREIGN LANGUAGE**

A minimum of two levels of one foreign language must be offered. Languages to be offered will be determined by county board of education.

#### **HEALTH**

Elective offerings may be made available based upon student need and interest.

#### **PHYSICAL EDUCATION**

Elective offerings may be made available based upon student need and interest.

Notes: 1. Elective offerings not based on WVBE Content Standards and Objectives must have written content standards and objectives approved by the county board of education.

2. Any course offered in lieu of a graduation requirement must first receive a WVBE approved waiver before counting towards graduation.

**Chart VI (B),  
Electives Adolescent (9-12) (Effective July 1, 2004)**

	<b>ELECTIVES REQUIRED TO BE OFFERED</b>	<b>OPTIONAL ELECTIVES</b>
Note: Any course offered in lieu of a graduation requirement must first receive a WVBE approved waiver before counting towards graduation.	These courses must be offered at least in alternating years. (Effective 2004-2005)	These courses (or others) may be offered depending on need or student demand.
<b>READING AND ENGLISH LANGUAGE ARTS</b>	Journalism/Newspaper/ Yearbook Speech	Desk Top Publishing English college courses AP English Creative Writing Library/Media Technical Writing Broadcast Journalism
<b>MATHEMATICS</b>	Algebra II Applied Mathematics 1 and 2 Geometry or Applied Geometry Pre-Calculus Trigonometry	Algebra/Geometry Preparation Calculus Conceptual Mathematics Integrated Mathematics I, II, III, and IV Probability and Statistics Mathematics college courses AP Mathematics courses
<b>SCIENCE</b>	Advanced Biology (11-12) Advanced Chemistry (11-12) Advanced Environmental/ Earth Science (11-12) Advanced Physics (11-12) Human Anatomy and Physiology CATS 10 (Effective for students entering grade 9 in school year 2005-2006)	Biology -Technical Conceptual (11-12) Chemistry - Technical Conceptual (11-12) Physics - Technical Conceptual (11-12) Science college courses AP Science courses
<b>SOCIAL STUDIES</b>	Economics Geography	Social Studies college courses AP Social Studies courses
<b>FOREIGN LANGUAGE</b>	Three levels of one foreign language	Other foreign languages based on student need and interest
<b>HEALTH</b>	Any courses required to satisfy a career major	Other health courses based on student need and interest
<b>PHYSICAL EDUCATION</b>	Any courses required to satisfy a career major and one lifetime physical education course <sup>1</sup>	Other physical education courses based on student need and interest

**Chart VI (B), cont'd.**  
**Electives Adolescent (9-12) (Effective July 1, 2004)**

	<b>ELECTIVES REQUIRED TO BE OFFERED</b>	<b>OPTIONAL ELECTIVES</b>
<b>THE ARTS</b>	Four sequential levels of student achievement in music (both choral and instrumental), visual art (general art and/or studio art), dance, theatre	Other courses in the arts based on student need and interest
<b>CAREER MAJORS</b>	Four specified courses within a major/pathway	Other courses based on student need and interest
<b>DRIVER EDUCATION</b>	One course	Other driver education courses based on student need and interest
<b>TECHNOLOGY</b>	Students must be provided opportunities for advanced technology applications.	Information Technology Information Management Web Development Other courses based on student need and interest
<b>TECHNICAL EDUCATION</b> Note: Schools must provide students access to skilled and entry-level technical preparation in a minimum of four of the following career clusters: <ul style="list-style-type: none"> <li>• Arts and Humanities</li> <li>• Business/Marketing</li> <li>• Engineering/Technical</li> <li>• Health</li> <li>• Human Services</li> <li>• Science/Natural Resources</li> </ul>	80% of students in grades 9-10 must have access to at least one vocational-technical foundation course. One foundation course must be offered that teaches parenting skills	Other technical education courses based on student need and interest
	30% of students in grades 11-12 must have access to four units in a technical concentration and two technical electives	Other courses based on student need and interest
	An additional 30% of students in grades 11-12 must have access to two units in a technical concentration	Other courses based on student need and interest
<b>CAREER DEVELOPMENT</b>	Students must be provided opportunities for in-depth exploration of their chosen career cluster in grades 9-10 through formal coursework, web-based or independent studies, or other alternative means	

Footnote for Chart VI (B)

<sup>1</sup> Schools which do not currently have the number of certified physical education teachers or required physical setting may develop alternate programs that will enable current staff and physical settings to be used to meet the physical education requirements. The alternate programs shall be submitted to the WVDE and the Healthy Lifestyle Council for approval. Those schools needing to develop alternate programs shall not be required to implement this program until the school year commencing 2006.

## 126CSR42

6.4.1. The following rules shall govern student attendance in grades 9-12:

a. Attendance for the full school day for all four years during grades 9-12 is important so that students obtain the full benefit from the educational programs offered in the schools of West Virginia. Therefore, all students shall be scheduled for the full instructional day for all four years. Exceptions may be made by county boards of education to accommodate placement in college courses, advanced vocational/technical programs, participation in the West Virginia Virtual School, or for other compelling circumstances.

b. County boards of education shall develop and implement a policy that defines the circumstances under which students may attend school for fewer than four full years and/or may be scheduled for courses for less than the full instructional day.

6.4.2. The programs of study identified in Charts I-VI (B) must be available to and be taken by all students as noted in the charts.

a. A student who transfers into a West Virginia school that has higher graduation requirements may not be able to complete these requirements. In such cases, the student's credits shall be evaluated to determine if one or more county and/or state requirements will be waived by the county or state superintendent.

b. If a student has been enrolled continuously in grades 9-12, the student shall be expected to meet the graduation requirements that were in effect when he or she entered 9th grade.

c. If a student has enrolled after dropping out of school, the requirements that a student must meet depend upon the length of time he or she has been out of school. If the student has been out of school less than one year, he or she would be expected to complete the graduation requirements that were in effect when he or she entered grade 9 for the first time. If the student has been out of school one year or more, he or she would be expected to complete the graduation requirements in effect upon re-enrollment.

6.4.3. During the 10<sup>th</sup> grade year, each student shall develop, after review of the student's ACT Plan results, and in consultation with her or his parent/guardian(s) and school counselor or advisor, the second phase of the individualized student transition plan and shall select a career major for the final years of high school and the first year after high school that will prepare the student for college, other post-secondary education, and gainful employment. The plan may be amended and/or the career major changed at the end of any semester.

a. Students may take one of the following in place of a course as listed in the applicable high school program of study: 1) a higher level course, 2) a more rigorous course, 3) a College Board Advanced Placement course, 4) an IB course, or 5) a college

## 126CSR42

course. Parent/guardian approval must be evidenced by signature on the student's individualized transition plan.

A. A student, in consultation with his or her parent/guardian(s), may request to take a higher level or more rigorous course, The College Board's Advanced Placement course, IB courses or college course in lieu of a required career major or recommended elective course as specified in the high school programs of studies document. Such requests should be approved by the county superintendent (or designee) and principal. The decision as to whether the substitute course will count as credit for the specified major or recommended elective requirement must be based on its applicability to the student's 5-year transition plan and post high school goals.

B. The student and his or her parent/guardian(s) must be advised of the decision of the superintendent (or designee) and the impact of the substitute course on the student's preparation for college, other postsecondary education or employment in the student's major field of study. Furthermore, the student's Certificate of Proficiency must not indicate that the student completed a career major unless the course is judged to be related and relevant to the career major.

C. A notation must be made on the student's individualized transition plan indicating that this process was followed and that the parent/guardian(s) and student clearly understand the impact of the course substitution.

D. Definitions of terms used in this section are as follows:

(a) Higher Level Course - A course in the same content area, but at a higher sequential level (e.g., Trigonometry in lieu of Geometry).

(b) More Rigorous Course - A course within the same content area in which the rigor and expectations are higher than the course for which the substitution is being made (e.g., Advanced Chemistry in lieu of Chemistry-Technical Conceptual).

(c) Advanced Placement - A course provided by The College Board which is advanced in terms of content and performance expectations for the age/grade level of students.

(d) International Baccalaureate - A comprehensive two-year international curriculum designed for highly motivated secondary school students aged 16-19. IB is a rigorous pre-university course of study that leads to examinations. IB students generally receive college credit for successful completion of IB courses and the program of study.

(e) College Course - Any course for which college credit is awarded (e.g., dual credit, WV EDGE credit, regular college course).

b. The parent/guardian(s) and student each sign and receive a copy of the plan.

## 126CSR42

c. Other plan components may include the following:

A. Co-curricular activities

B. Extracurricular activities

d. Each graduate will be provided a form that assesses the effectiveness of his/her individualized student transition plan, and will be requested to complete and return the form at the end of the first year following graduation to the high school from which she/he graduated.

6.4.4. The county and school shall require work-based learning experiences for each student at some time in grade 9, 10, 11 or 12. In order to qualify as a work-based learning experience within the meaning of this section, the experience must have the demonstrated ability to help students attain process/workplace skills. (See Section 5.61.) Counties with few employers must identify and utilize alternative strategies, such as workplace simulations, community service and school-based enterprises to provide such opportunities. Each county board of education shall:

a. establish a procedure for coordinating work-based learning experiences;

b. establish criteria for selecting quality work-based learning experience and sites;

c. establish criteria and standards that students must meet to be eligible for work-based learning experience;

d. establish standards and objectives for the different types of work-based learning experiences;

e. establish process and criteria for work-based experiences that merit the awarding of credit;

f. provide staff development for coordinators, mentors and supervisors of work-based learning experiences; and

g. establish linkages to enable school personnel and businesses to provide work-based experiences to support and enhance programs of study and career development.

6.4.5. The state graduation requirements total 24 credits. See Charts V (A) and V (B) for specific credits required for graduation.

a. The courses needed for graduation, indicated in Charts V (A) and V (B) require mastery of the WVBE and county board of education approved content standards and objectives. The level of mastery shall be determined in compliance with

## 126CSR42

Policy 2515 and with Policies 2520.1-2520.15, Content Standards and Objectives for West Virginia Schools (hereinafter CSOs).

b. A county board of education that proposes to schedule class periods in a manner that results in fewer than 8100 minutes of instructional time allotted for a high school course credit must obtain a waiver from the WVBE prior to implementing such a schedule. Courses approved through the West Virginia Virtual School approval process may be exempt from this requirement. County and multi-county vocational centers may, in order to accommodate transportation times for students, schedule courses for credit with fewer than 8100 minutes of instructional time provided the center documents student mastery of the content standards for those courses.

c. County boards of education have the authority to increase these requirements for schools in their counties. The county superintendent shall notify the WVDE of any changes in requirements beyond the state requirements.

6.4.6. Additional courses not identified in Chart VI may be offered to afford students the opportunity to attain mastery of the content standards and objectives, to broaden and enrich their education, and to support academic and career development. Any elective offering must be based on WVBE approved content standards and objectives if available or based on written content standards and objectives that are approved by the county board of education.

6.4.7. County boards of education shall provide alternative means for students to earn high school credit as explained below:

a. Any student who successfully completes a high school level course (one meeting the high school approved content standards and objectives and taught by a content certified teacher) prior to grade 9 shall receive full credit for that course toward graduation requirements. The student's permanent record for grades 9-12 shall indicate completion of the courses. The grade for any course taken prior to grade 9 becomes part of the student's permanent record and is calculated in the student's grade point average (hereinafter GPA).

b. County boards of education shall adopt policies that allow students to earn credit for completion of college work. If these credits are to be used to meet graduation requirements, they must meet the requirements for a dual credit course. (See Section 5.29.)

c. A county may develop tests for the purpose of moving students more quickly through the curriculum by "testing out." See Section 5.1 for other methods of acceleration.

6.4.8. A diploma is provided to every student who has completed the standard graduation requirements. An eligible student with severe disabilities who has been determined by an IEP Team to be unable, even with extended learning opportunities and significant instructional modifications, to meet state and county standard graduation requirements may receive a modified diploma.

## 126CSR42

6.4.9. A modified diploma may be awarded to an eligible student with disabilities so severe that the student requires extensive modifications and functional application of the CSOs and/or instruction in functional daily living skills (social, motor and communication) not directly addressed in the CSOs, and who has satisfactorily met the graduation requirements specified in his/her IEP.

6.4.10. A Certificate of Proficiency containing specific information regarding the graduate's skills, competence and readiness for employment and further education is provided to every high school graduate. (See W. Va. Code §18-2-6.) The following information is to be recorded on the certificate of proficiency given to every graduate:

- a. Test results from any part of the statewide assessment program in which the student participated;
- b. High school courses completed with grades and credits received;
- c. Computer instruction received;
- d. GPA for all high school courses completed, regardless of the grade level when completed;
- e. Class rank out of total graduating class;
- f. Attendance per year for grades 9-12;
- g. Co-curricular and extracurricular activities;
- h. Grade scale including letter/numerical equivalent, use of weighted grades consistent with Policy 2515;
- i. Special competencies and honors;
- j. Technical training and credentials acquired;
- k. Successful completion of a career major including completion of the required major courses, or higher level courses, advanced placement courses, college courses or other rigorous substitutes related to the major, and recommended electives; and
- l. Formal work-based learning experiences completed.

6.5. Adult Education - Adult education is designed to meet the education, employment and training, economic, civic, cultural, social, and recreational needs of adults in the community served by public schools. These programs are offered by county boards of education or RESAs and are described in Chart VII. Chart VII identifies programs of study that provide lifelong learning opportunities for adults so that they may maintain, acquire, or enhance functional and/or technical literacy.

# CHART VII

## Adult Education Programs\*

Adult Basic Education (ABE)	Vocational and Technical Education Full- and Part-Time Classes	Job Specific Services to Business and Industry
<ul style="list-style-type: none"> <li>● Basic Literacy</li> <li>● Basic Skills Assessment</li> <li>● General Educational Development (GED) Preparation</li> <li>● Distance Learning</li> <li>● External Diploma Program (EDP)</li> <li>● English as a Second Language (ESL)</li> <li>● Institutional Education</li> <li>● Family Literacy Programs</li> <li>● Test Preparation for employment, college, military entrance exams</li> <li>● Career Exploration</li> </ul>	<p>Technical training is provided to assist adults seeking employment or enhancing their current employment.</p> <ul style="list-style-type: none"> <li>● Industrial and Technical</li> <li>● Computer Science</li> <li>● Business Education</li> <li>● Wood Products Technology</li> <li>● Aqua Culture</li> <li>● Hospitality</li> <li>● Health Care</li> </ul>	<ul style="list-style-type: none"> <li>● Workplace Education Programs</li> <li>● Job/Task Analysis</li> <li>● Training Material</li> <li>● Training Video Production</li> <li>● Technical Skill Training</li> <li>● Supervisory Training</li> <li>● Train-the-Trainer Program</li> <li>● Customized Skills Development Classes</li> <li>● Employee Assessment and Selection Service</li> <li>● Use of Vocational Facilities/Equipment</li> <li>● Referral to Other Agencies</li> </ul>
<b>Workforce Development Training for Special Populations</b>		<b>Public Service Training</b>
<p>Academic skills and technical training are provided for economically and community development.</p> <ul style="list-style-type: none"> <li>● Referral to Other Agencies</li> <li>● Workplace Readiness</li> <li>● Trade Readjustment Act</li> <li>● Clean Air Act</li> <li>● North American Free Trade Agreement</li> </ul>		<ul style="list-style-type: none"> <li>● Emergency Medical Training</li> <li>● Wastewater and Water Training</li> <li>● Firefighting Training</li> <li>● Hazardous Material Training</li> </ul>

\*To be delivered consistent with 126CSR57, WVBE Policy 2420, Guidelines for Compliance with Adult Education Programs and Computation for Adults Enrolled Under the School Aid Formula, Adults in Net Enrollment .

## 126CSR42

### §126-42-7. Alternative Delivery of Education Programs.

7.1. The county board of education shall establish policies and implement written procedures when providing for alternative delivery of education and service programs for students and community members. A thorough and efficient education must be available to all students, whether they are placed in regular or alternative programs.

#### 7.2. Alternative Delivery Programs.

7.2.1. Extended student learning may be offered based on student needs and as funds and other resources become available.

a. Extended student learning may include, but is not limited to: extended day or year; mini-courses; summer school or an alternative calendar that allows for year-round schooling; and work-based learning that may take place outside of the regular school calendar. (See, e.g., 126CSR73, WVBE Policy 3234, Year-round Education Programs.)

b. Extended student learning may be provided by the school system, community agencies, institutions of higher education, businesses or other entities under agreements authorized by the county board or WVBE. These agreements may include payment specifications for those parties using the facilities.

c. Students may elect to participate in extended learning opportunities and may receive elective credit when approved by the county board or WVBE.

7.2.2. All summer school programs shall be submitted to the WVBE for approval. Schools may award credits earned from approved summer schools provided the instructional program is equivalent to that required in the regular school term.

#### 7.2.3. Community Education.

a. County boards of education should maximize opportunities to provide adult basic education or adult enrichment opportunities; and

b. Opportunities to provide continuing education and staff development for local businesses should be maximized. This includes training on appropriate placement and supervision of students receiving work-based learning experiences.

#### 7.2.4. Home/Hospital Services.

## 126CSR42

a. Students who, due to injury or for any other reason as certified in writing by a licensed physician or other licensed health care provider, are temporarily confined to home or hospital for a period that has lasted or will last more than three consecutive weeks shall receive home/hospital services. The written statement must include

A. the specific reasons the student must remain at home or in the hospital; and

B. the criteria or conditions under which the student can return to school, and the expected date of such return.

b. A written statement by a licensed physician or other licensed health care provider must be resubmitted every six months if a student's temporary home/hospital instruction is prolonged.

c. The county board of education may require that the parent/guardian obtain an opinion from a second health care provider at the expense of the county board.

d. Home/hospital services must be designed to provide the student adequate opportunity to continue learning toward mastery of grade level content standards and objectives. The schedule for home/hospital services must include adequate instructional time and be provided at a location when a responsible adult in addition to the teacher is present.

e. Home/hospital teachers are responsible for providing instruction on the content standards and objectives as designed by the student's classroom teacher(s); consequently, the home/hospital teacher must be in regular contact with the classroom teacher(s) to

A. secure and understand units/lessons, instructional plans and instructional materials, and

B. establish procedures for the collection and return of student work to the classroom teacher(s) for assessment.

f. Home/hospital services, provided for an exceptional student who is unable to attend school temporarily because of an injury, illness or health condition requires a change in the student's placement to Out-of-School Environment (hereinafter OSE) as defined by Policy 2419, Section 5.1.5.g.E. The change of placement to OSE must be addressed by the student's IEP team and implemented in accordance with the requirements of Policy 2419.

## 126CSR42

g. Home/hospital services may also be provided temporarily at the direction of the county superintendent for students who have not met the immunization requirements of W. Va. Code §16-3-4.

### 7.2.5. Alternative Settings for Disruptive Students.

a. Students whose disruptive behavior places them at risk of not succeeding in the traditional school structure may be eligible for placement in an alternative education program as authorized by 126CSR20, WVBE Policy 2418, Regulations for Alternative Education Programs for Disruptive Students (hereinafter Policy 2418).

### 7.2.6. West Virginia Virtual School Options.

a. With the appropriate approval, the West Virginia Virtual School may provide additional course options to be taken through distance learning that will support the alternative delivery settings described in Section 7.2.

## 7.3. Accountability for Alternative Programs.

7.3.1. All alternative delivery of programs for elementary and secondary schools must meet the standards and safeguards set forth in WVBE policies related to curriculum, instruction, and student support services.

7.3.2. Letters of agreement and/or contracts shall be used with external agencies, businesses and individuals to clarify responsibilities in areas such as student supervision, public access to school facilities, finance and program accountability.

## **§126-42-8. County Board of Education Responsibilities.**

8.1. The county board of education shall establish policies and implement written procedures to provide high quality delivery of its education program. In meeting this responsibility the county board shall address the components of a high quality program listed below.

8.2. The county board of education shall implement the following administrative practices.

8.2.1. Ensure that all schools are safe and that the environment is conducive to learning.

8.2.2. Implement the following rules governing student attendance in grades pre-k-12:

## 126CSR42

a. Ensure that all students, ages 6-16, are attending public schools or are exempted from compulsory public school attendance under the provisions of W. Va. Code §18-8-1.

b. The student attendance rate for elementary and middle schools is at or above ninety percent (90%) or the percentage of students meeting the attendance rate shows improvement from the preceding year. The student attendance rate will be adjusted for the following allowable deductions as defined in 126CSR81, WVBE Policy 4110, Attendance: absences that result from school-approved curricular/co-curricular activities; failure of the bus to run/hazardous conditions; excused student absences; students not in attendance due to disciplinary measures; and absent students for whom the attendance director has pursued judicial remedies to compel attendance (filed a criminal complaint or juvenile petition) due to provisions in W. Va. Code §18-8-4. For the adequate yearly progress (AYP) determination, the attendance rate calculation will be used for accountability at the public school, school district and state levels, but will not be calculated for each subgroup. However, for schools/school districts that use the safe harbor provision to meet AYP for the achievement indicators, the attendance rate standard must be met by the subgroup(s) not meeting AYP.

8.2.3. Provide assurances that the county comprehensive developmental guidance and counseling policy reflects provisions in W. Va. Code §18-5-18b.

8.2.4. Ensure that prior to the beginning of each school year, the principal and teachers at every school determine time allocations that, based on the needs of the students, maximize engaged instructional time and limit disruptions during the school day within the regular and alternative school calendars for specific instructional programs.

a. School calendars and schedules shall be organized to maximize academic learning time through a variety of strategies which may include, but are not limited to, restructuring the school day, providing tutorial sessions, utilizing appropriate technology, extending the school day and/or extending the school year.

b. The school calendar shall meet the requirement of W. Va. Code §18-5-45.

c. The school calendar shall provide, at a minimum, 12 hours per week for pre-k, and an instructional day of 315 minutes for kindergarten and grades 1-4, 330 minutes for grades 5-8, and 345 minutes for grades 9-12.

d. Accrued instructional time may not be used to avoid 180 separate days of instruction. For example, accrued instructional time may not be

## 126CSR42

used to convert a complete day of instruction into a day to be used for some other purpose.

e. Co-curricular activities may, by their nature, be scheduled without regard to the use of accrued instructional time.

f. Accrued instructional time may be used by schools and counties to provide additional time for professional development that may include collaborative meeting time, time for training, and/or continuing education as may be needed to improve student performance and meet the requirements of the federal mandates affecting elementary and secondary education. The amount of accrued instructional time used for this purpose may not exceed three instructional days and shall be aligned with the school and county strategic plans.

8.2.5. Develop a Five-Year Unified Strategic Plan. (See Sections 5.40. and 13.1.1.)

8.2.6. Establish procedures at the county and school levels to ensure that informal and formal assessment data are used to identify student learning needs and to adjust instruction to meet those needs.

8.2.7. Provide a comprehensive system of career clusters and career majors in order to ensure that students understand the breadth and scope of careers in the world of work.

8.2.8. Develop a system for ensuring that instruction is based upon approved content standards, objectives and performance descriptors.

8.2.9. Appoint and maintain a county school system or multi-county technical center advisory council that meets on a regular basis to provide advice on current and future employment needs and on the relevancy of courses being offered. Each technical concentration must have a program area advisory council that meets on a regular basis to advise on course content, including which skills should be taught, instructional materials and equipment needed, and standards which should be met to assure student employability or preparedness for further education.

8.2.10. Appoint and maintain a county steering committee that includes parents and representatives from business, labor, higher education, economic development, local school improvement councils (one member from each programmatic level, pre-k-4, 5-8, 9-12), faculty senates (one teacher from each programmatic level, pre-k-4, 5-8, 9-12), students (one from each programmatic level 5-8 and 9-12) and other organizational entities in the community.

## 126CSR42

a. The county steering committee will act as a partner with the county board in developing and implementing high quality preparation of youth for college, other post-secondary education and gainful employment;

b. The membership or designated representatives may serve, to the extent appropriate, on the community technical college district consortia committee as established in W. Va. Code §18B-3-3a;

c. The committee may also advise the county board of education in developing the Unified County Improvement Plan or strategic plan; and

d. The committee may also act as the Council on Productive and Safe Schools if it meets the stipulations for membership outlined in W. Va. Code §18-5-42.

8.3. The county board of education shall ensure that each school has established and is implementing:

8.3.1. A process to maintain a safe climate conducive to learning that enhances the physical, social, and emotional well being of students;

8.3.2. A process for flexible scheduling of students and staff to ensure that every student has the opportunity to achieve or exceed mastery of each content standard;

8.3.3. A process and procedures for providing quality, content-specific, scientifically based professional development to ensure implementation of methodologies and best practices for strengthening the rigor, content and relevance of the learning process;

8.3.4. Approved CSOs so all teachers are aware of the instruction students receive prior to entering the grade level they teach and what the expectations are for students to be able to succeed at subsequent grade levels;

8.3.5. A process for ensuring that instructional practices are based on scientific research.

8.3.6. A system for monitoring and assessing pupil performance related to the content standards and objectives of the school education program;

8.3.7. A policy for student homework;

## 126CSR42

8.3.8. A policy for grading that is consistent with Policy 2515 and that addresses, at least, the issues of retention, promotion and the replacement of a grade if a course is retaken;

8.3.9. A procedure for monitoring continuing record of student progress for student, parent and teacher information;

8.3.10. A process to ensure that parents are involved in the school and their child's education;

8.3.11. A student code of conduct policy that requires public schools to respond immediately and consistently to incidents of harassment, intimidation, bullying, substance abuse and/or violence or other student code of conduct violations in a manner that effectively deters future incidents and affirms respect for individuals as outlined in 126CSR99, WVBE Policy 4373, Student Code of Conduct;

8.3.12. A system to monitor dropout rates and, when appropriate, plans to reduce the student dropout rate;

8.3.13. A process for timely, accurate and complete entering of data into the West Virginia Education Information Systems (hereinafter WVEIS);

8.3.14. Library/media services that provide access to electronic means for retrieving, receiving and using information as well as traditional print resources.

8.3.15. Technology practices that facilitate student development in areas such as, but not limited to, computer skills, critical thinking and decision-making, application of academic knowledge in workplace programs, making informed career decisions and meeting the content standards in Policy 2520.14;

8.3.16. A technology infrastructure that has multiple applications in enabling students to achieve at higher academic levels;

8.3.17. A school technology team to develop a comprehensive technology plan that includes instructional and academic content standards and objectives as a component of the Unified School Improvement Plan or strategic plan (See Policy 2470);

8.3.18. A LSIC as outlined in W. Va. Code §18-5A-2 that facilitates improvement of educational quality by encouraging the involvement of the school community in the operation of the school and by utilizing the waiver process when appropriate;

8.3.19. A faculty senate that facilitates school improvement through practices outlined in W. Va. Code §18-5A-5;

## 126CSR42

a. Each county board of education shall, as provided in W. Va. Code §18-5A-5(b)(12), provide to each faculty senate either a two-hour-block of time for a faculty senate meeting on a day scheduled for the opening of school prior to the beginning of the instructional term, and a two-hour block of time on each instructional support and enhancement day scheduled by the board. (See W. Va. Code §18-5-45(d) for further information on instructional support and enhancement days.)

b. Accrued instructional time may not be used to lengthen the time provided in law for faculty senates.

8.3.20. A school curriculum team that establishes instructional programs and methods, based on the needs of the school, that implement the state approved content standards, objectives and performance descriptors;

8.3.21. One instructional day in each of the months of October, December, February, April and June which is an instructional support and enhancement day scheduled by the county board of education to include both instructional activities for students and professional activities for teachers to improve student instruction as referenced in W. Va. Code §18-5-45(d);

8.3.22. A continuous system of program assessment, accreditation and program improvement; and

8.3.23. A Five-Year School Strategic Plan that is based on the identified needs of the students and is developed collaboratively by the LSIC, the principal, faculty senate, school technology team, and school curriculum team. (See 5.39. and 13.2.1.)

8.4. County boards of education must provide student services to ensure that students are able to participate in and benefit from a high quality education program. These services include, but are not limited to: guidance and counseling, health services, school psychological services, special education and related services, social services and attendance, transportation services, and nutrition services.

8.4.1. English as a Second Language services, or specially designed instruction, at no cost to parents, to meet the unique educational needs of an eligible limited English proficient student, including instruction conducted in the classroom and in other settings, shall be provided as specified in the student's program of study and in accordance with Policy 2417.

8.4.2. School counselors work with individual students and groups of students through developmental, preventive and remedial guidance and

## 126CSR42

counseling programs to meet academic, social, emotional, and physical needs; including programs to identify and address the problems of potential school dropouts. The school counselor also may provide consultant services for parents, teachers and administrators and may use outside referral services, when appropriate, if no additional cost is incurred by the county board of education. The role of the school counselor is defined based on the “National Standards of School Counseling Programs” of the American School Counselor Association as required in Policy 2315. School counselors shall be full-time professional personnel, shall spend at least 75% of work time in direct counseling relationship with pupils, and shall devote no more than 25% of the work day to administrative activities; provided that such activities are related to guidance and counseling. (Defined in W. Va. Code §18-5-18b.)

8.4.3. W. Va. Code §18-5-37 requires county boards of education to provide a breakfast program. In addition to the breakfast program, school nutrition services provide balanced meals for all students who choose to participate in the program and help students develop sound nutritional habits. All schools must serve meals that are nutritionally adequate.

8.4.4. School health services provide early identification of health problems and follow-up activities to facilitate and assure appropriate health/medical care as required in W. Va. Code §18-5-22. Emphasis is placed on preventive services and health education to reduce absenteeism and academic failure and promote lifelong health-enhancing behaviors.

8.4.5. School psychological services facilitate the interpersonal and academic development of all students and foster the social and emotional health of students. School psychologists assist teachers and other school personnel with assessment information, behavior intervention plans, safe schools information, test taking skills, and reduction of test anxiety.

8.4.6. W. Va. Code §18-8-1a requires compulsory school attendance to begin with the school year in which the 6<sup>th</sup> birthday is reached prior to September one of such year or upon enrolling in a publicly supported kindergarten program and to continue to the sixteenth birthday or for as long as the student continues to be enrolled in a school system after the sixteenth birthday. County boards of education must employ a full-time attendance director if the county has a net enrollment of more than four thousand pupils and at least a half-time director if net enrollment is less than four thousand. (W. Va. Code §18-8-3 and Section 6.4.1. of this policy.)

8.4.7. Special education services, or specially designed instruction, at no cost to parents, to meet the unique educational needs of an eligible exceptional student, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings shall be provided as specified in the student’s IEP and in accordance with Policy 2419. Related services include

## 126CSR42

transportation and such developmental, corrective and other supportive services as are required to assist an eligible exceptional student to benefit from special education and shall be provided as specified on the student's IEP. Specific related services are defined and described in Policy 2419 and 126CSR25A, WVBE Policy 2422.7, Standards for Basic and Specialized Health Care Procedures.

8.4.8. Each student who requires county board provided transportation shall have safe, efficient transportation to the extent necessary to assure the opportunity to participate in the county education program. (W. Va. Code §18-5-13)

### 8.5. Personnel.

8.5.1. County boards shall employ supervisory/administrative staff who are professionally certified administrators who have met the requirements of training through the principals' academy as identified in W. Va. Code §18A-3-2c.

8.5.2. Principals shall be provided continuous, high-quality, sustained professional development opportunities through a variety of means that increases the principal's ability to be an instructional leader so that students can master challenging academic content standards;

#### 8.5.3. County boards shall:

a. Employ highly qualified teachers to implement each program of study;

b. Ensure that professional staff members are working in the areas of endorsement specified on their certificates;

c. Ensure that teachers have a general knowledge of the content standards and objectives for all programmatic levels (pre-k-12) to promote program articulation.

d. Ensure that professional staff are provided continuous high-quality, sustained, and classroom-focused professional development that increases the knowledge and skills required to provide students with the opportunity to master challenging academic content standards;

e. Ensure Alternative Education Programs, as outlined in Policy 2418, provide for the participation of staff certified in the core content areas in the development of the academic curriculum and the assessment measures to determine mastery of content standards and objectives.

## 126CSR42

f. Ensure that mentors are provided for first year teachers and administrators, and teachers moving into assignments in a different endorsement area and/or programmatic level;

g. Ensure that all teachers and library/media professionals are provided a duty free planning period that is the length of the usual class period and is not less than thirty minutes. (W.Va. Code § 18A-4-14)

### 8.5.4. County boards shall:

a. Employ aides to enhance the instructional environment and provide time to ensure educational quality in the classroom;

A. Aides assist teachers with non-instructional duties and in instructional related activities in appropriate programs. Duties may include, but are not limited to: a) clerical and technical assistance; b) in-class assistance; c) tutorial services; d) distribution of instructional materials; e) supervision of students in the instructional environment and during specific assigned duties (W. Va. Code §18A-5-8); f) assistance with technology utilization; and g) in some cases, performance of basic or specialized health care procedures.

B. One aide is assigned to a pre-k or kindergarten class if the class enrollment exceeds 10 students.

C. Aides are available for eligible students with disabilities as needed to implement the IEP and as set forth in the Policy 2419.

D. Aides assigned to a school are scheduled by the principal.

b. Use community resources, when appropriate, in innovative ways on a volunteer, part-time or contractual basis in order to complement, support or extend the instructional program including the provision of work-based learning opportunities.

### 8.5.5. County boards shall:

a. Implement an employee evaluation system based on 126CSR142, WVBE Policy 5310, Performance Evaluation of School Personnel.

b. Implement a comprehensive system of staff development that includes the implementation of 126CSR149, WVBE Policy 5500, County Professional Staff Development Councils as an integral part.

## 126CSR42

### 8.6. Facilities.

8.6.1 County boards shall ensure that facilities meet the standards set forth in 126CSR172, WVBE Policy 6200, Handbook on Planning School Facilities.

### 8.7. Instructional Materials, Supplies, and Equipment. County boards shall:

8.7.1. Ensure that the instructional materials used as the primary resource for instruction in required programs of study are on the most recent list of state adopted instructional materials or have been exempted by the WVBE through an approved waiver or through the West Virginia Virtual School course approval process.

8.7.2. Establish procedures to select instructional materials and supplemental resources that correlate with approved content standards, objectives and performance descriptors for each content area.

8.7.3. Ensure that appropriate instructional materials and equipment are available for the full instructional term, in good operating condition, and are sufficient for the size of the group to be served.

8.7.4. Ensure that a copy of the appropriate content standards, objectives and performance descriptors is provided to each teacher and ensure that the public has been provided information about and access to materials for review upon request.

8.7.5. To the extent practicable, and as funds and other resources are available, provide access to instructional technologies outside the normal school day for use by students (including those in adult education), teachers, parents and citizens.

### 8.8. Education Information System.

8.8.1. Every county and school shall participate in the WVEIS.

## **§126-42-9. School Based Responsibilities.**

9.1. Strong leadership by principals is necessary for good schools and higher levels of student achievement. The principal's primary responsibility is instructional leadership and support within the school. The following qualities, proficiencies, and leadership skills are required of principals:

9.1.1. Demonstrate instructional leadership to enhance school effectiveness by improving instruction and improving student performance.

## 126CSR42

a. Develop flexible schedules to maximize opportunities to deliver instruction to groups of students or to individual students who may need additional assistance to master basic skills.

b. Observe teacher and student performance in the classroom and provide feedback and recommendations for improvement.

c. Limit interruptions to instruction.

d. Analyze and use performance data to improve student achievement.

e. Assist teachers in developing individual plans for instructional improvement.

9.1.2. Establish a school environment that is safe, drug-free and conducive to learning.

9.1.3. Provide purpose and direction for schools.

9.1.4. Demonstrate cognitive skills to gather, analyze, and synthesize information to reach goals.

9.1.5. Manage group behaviors to achieve consensus.

a. Schedule time to work with staff, school support team, faculty senate, curriculum team and local school improvement council to plan, organize, implement and evaluate the education programs.

b. Coordinate high quality, scientifically research-based professional development activities identified in cooperation with the building staff, faculty senate, internal school improvement team, curriculum team, technology team, local school improvement council and the County Professional Staff Development Council.

9.1.6. Enhance the quality of the school organization.

9.1.7. Organize and delegate to accomplish goals.

9.1.8. Communicate effectively.

9.1.9. Provide leadership in the implementation of technology standards.

## 126CSR42

9.2. School staff must implement classroom management that fosters an environment conducive to student success including:

- 9.2.1. Creating an atmosphere that is safe, secure, caring and orderly;
- 9.2.2. Setting high positive expectations for themselves and for all students;
- 9.2.3. Establishing and communicating class rules and school rules;
- 9.2.4. Engaging students successfully in meaningful age-appropriate instructional activities;
- 9.2.5. Being prepared and initiating instruction as soon as students arrive in the classroom;
- 9.2.6. Protecting instructional time by allowing minimal interruptions of instruction and limiting out-of-class activities;
- 9.2.7. Exhibiting professional behavior, as defined in the 126CSR162, WVBE Policy 5902, Employee Code of Conduct, showing consideration and respect for individual differences, and guarding confidentiality of student information;
- 9.2.8. Teaching, expecting, and acknowledging responsible behavior including students being prepared for class and having appropriate materials (books, paper, and pencils) with them;
- 9.2.9. Employing character education strategies that are incorporated and integrated into the total school environment and curriculum; and
- 9.2.10. Modeling commitment to equity, fairness and diversity through their practices to all students.

9.3. Each teacher and each school must implement a system for delivering classroom instruction that is designed to increase student achievement and to prepare each student for success in post-secondary education and the workplace. The system must align curriculum, instruction and assessment. Instructional delivery must incorporate validated practices and strategies that are based on scientific research. In implementing an aligned system of instruction, teachers

- 9.3.1. Set, maintain and communicate high expectations which are consistently and repeatedly communicated to all students through challenging and rigorous instruction;

## 126CSR42

9.3.2. Provide students and parents/guardians with strong and relevant rationales for learning new information to increase student ownership and motivation in the learning process;

9.3.3. Seek, where appropriate, student input in creating assignments, choosing content and setting goals for learning;

9.3.4. Involve students in developing guidelines and contingencies for conduct and performance;

9.3.5. Teach all state (or county) CSOs in each grade level and for each subject;

9.3.6. Are aware of content standards, objectives and performance descriptors of the curriculum that precedes and follows the grade (s) they are teaching;

9.3.7. Integrate technology in the delivery of instruction in all content areas;

9.3.8. Develop and utilize written lesson plans that focus on the mastery of concepts identified in the content standards and objectives for each course;

9.3.9. Use instructional materials and technology resources correlated with content standards, objectives and performance descriptors;

9.3.10. Assist students in linking prior knowledge with new information and in connecting information across content areas;

9.3.11. Provide instruction that is organized, appropriately sequenced, links new information with prior knowledge, and emphasizes the most important information to be learned;

9.3.12. Provide students with opportunities to maximize learning by incorporating the use of tools (e.g., graphic organizers, manipulatives);

9.3.13. Provide opportunities to process new information through individual and/or collaborative activities (e.g., peer editing, creating projects and or products, generating ideas, presenting/performing aspects of newly acquired information) and to practice information in a variety of contexts and settings to promote fluency, generalization and maintenance;

9.3.14. Provide opportunities for students to look at, reflect on, speak and write about the content;

## 126CSR42

9.3.15. Provide adequate opportunities for guided practice until students acquire fluency in performing the skill(s);

9.3.16. Enable students to solve problems and think critically by guiding them through the process to become independent learners;

9.3.17. Instruct students on how to learn task-specific strategies and how to model key behaviors required for learning a set of information or a specific skill;

9.3.18. Provide opportunities for students who have mastered the CSOs to move to the next level of instruction;

9.3.19. Recognize and differentiate instruction to meet individual student needs;

9.3.20. Assess student learning frequently through multiple formats and in various modalities (e.g., oral and written venues) and adjust instruction accordingly;

9.3.21. In grades k-3, use the content standards, objectives and performance descriptors in reading and mathematics and the accompanying state informal assessments to guide and measure student progress in these content areas;

9.3.22. Give positive, corrective and elaborated feedback to individual students in a timely manner and allow students opportunities to practice corrections;

9.3.23. Provide intervention and expanded learning opportunities based on a variety of student performance data;

9.3.24. Recognize student effort and celebrate progress in attaining learning goals;

9.3.25. Communicate with parents on a regular basis regarding their child's educational performance;

9.3.26. Link classroom instruction to the student's future work and academic success by integrating and reinforcing the skills required in a career and the workplace.

## 126CSR42

9.4. Students who demonstrate mastery of content standards and objectives must be provided opportunities to progress to the next level of instruction.

9.5. Students who do not demonstrate mastery of content standards and objectives shall be provided intervention through extra help, multiple instructional strategies and extra time in the classroom and in other school settings, as other settings are appropriate.

9.6. Instruction and practice in writing is required to be taught to all students. Teachers are required to establish expectations for written work in each subject area and to require that writing is a routine part of all classes. Schools provide teachers with resources, technical assistance and professional development in understanding the writing process and in grading students' written work.

9.7. Multicultural education is required to be taught to all students at all programmatic levels, pre-k-4, 5-8, and 9-12. Schools/school systems are required to develop and implement a program for multicultural education. (See Section 5.56. and Policy 2421.)

9.8. Technology must play a major role in the delivery of all programs of study. Technology will be used as part of the delivery process for instruction and providing information for students. The use of technology, particularly computers, will also be a part of the curriculum so that students develop the skills and knowledge to use technology as an effective tool for learning, processing information and communicating information to others.

9.9. Each public school shall establish a student assistance team that:

9.9.1. Consists of at least three persons, including a school administrator or designee, who shall serve as the chairperson, a current teacher(s) and other appropriate professional staff.

9.9.2. Reviews individual student needs when a student demonstrates poor academic performance, has excessive absence and/or engages in disruptive behavior, and either recommends appropriate instructional and/or behavioral intervention strategies within the regular education program or refers immediately for multi-disciplinary evaluation.

9.9.3. Invites parents to review recommendations made by the team in regard to the child's program and to provide feedback to the team about those recommendations.

9.9.4. Reviews, no later than one grading period after implementation (or as otherwise specified), the effectiveness of the instructional and/or behavioral intervention strategies to determine the need for continuation, modification and/or

## 126CSR42

termination of educational interventions or the need to refer for multi-disciplinary evaluation.

9.9.5. Is trained in appropriate instructional and behavioral intervention strategies, and referral procedures.

9.9.6. Collects and maintains data on the activities of the team, including the dates of meetings, the members in attendance, the recommendations of the team, the dates of review meetings, and the results of the interventions.

9.10. Schools must implement, in an equitable manner, co-curricular and extracurricular programs, at the appropriate instructional levels, that contribute to the success of students.

9.10.1. Co-curricular activities may take place during the instructional day. (See Section 5.18.)

9.10.2. Extracurricular activities shall occur outside of the instructional day. (See Section 5.38. and Policy 2436.10.)

### **§126-42-10. Statewide Assessment Program.**

10.1. All public school students shall participate in the West Virginia Measures of Academic Progress (hereinafter WV-MAP).

10.1.1. All public school students enrolled in grades 3,4,5,6,7,8 and 10 shall be assessed at the grade level in which they are enrolled by the West Virginia Test of Educational Standards (WESTEST) to be administered in the spring of each year or the West Virginia Alternate Assessment to the WESTEST.(126CSR14, WVBE Policy 2340, West Virginia Measures of Academic Progress, hereinafter Policy 2340, Section 4.2)

10.1.2. All public school students enrolled in 4<sup>th</sup>, 7<sup>th</sup> and 10<sup>th</sup> grades, except those participating in the West Virginia Alternate Assessment to WESTEST, shall participate in the Writing Assessment with accommodations and/or modifications as determined by their respective IEP Teams, Section 504 Committees or LEP Committees. (Policy 2340, Sections 3.1 and 4.5)

10.1.3. All public school students enrolled in the 8<sup>th</sup> grade, except those participating in the West Virginia Alternate Assessment to WESTEST, shall participate in the ACT EXPLORE assessment with accommodations and/or with modifications as determined by their respective IEP Teams, Section 504 Committees, or LEP Committees in the fall of each year.(Policy 2340, Sections 3.1 and 4.6)

## 126CSR42

10.1.4. All public school students enrolled in 10<sup>th</sup> grade, except those participating in the West Virginia Alternate Assessment to WESTEST, shall participate in the ACT PLAN assessment with accommodations and/or with modifications as determined by their respective IEP Teams, Section 504 Committees, or LEP Committees in the fall of each year. (Policy 2340, Sections 3.1 and 4.7)

10.1.5. All public school students enrolled in grades 4 and 8 who are part of NAEP state sample shall participate in the NAEP, a component of the WV-MAP. The participant(s) of this test will be determined by a random sample at the national level. All students, except those participating in the West Virginia Alternate Assessment component of WESTEST, will be placed on the school roster from which the random sample will be taken to determine NAEP participation. (Policy 2340, Section 4.8)

10.1.6. WV-MAP shall be managed by a county test coordinator who has been provided training in administering the test instruments in this program. (Policy 2340, Section 5.4)

a. Counties shall ensure that all school test coordinators and site administrators and/or designees, as well as all other appropriate central office and school building level professional staff, are adequately trained in test administration, interpretation and use.

b. Counties shall ensure that school test coordinators and site administrators and/or designees will provide adequate training and staff development for all educators that administer and/or proctor state assessments.

c. The county test coordinator in each county shall develop an outline or overview regarding the administration and use of the WV-MAP test results.

d. Practice tests, test improvement programs, juried lesson plans and technology may be used to improve student achievement.

10.1.7. All teachers shall be provided assessment data for the students in their schools and or classroom for the areas of instruction for which they are responsible in order to provide instructional intervention for students. Other professional staff in the school may access the test results by individuals, grade levels and/or groups of students for the purpose of instructional planning (Policy 2340, Section 6.2)

10.1.8. Any student performing below mastery on classroom assessments in reading/language arts or mathematics shall be provided intervention through extra help, multiple instructional strategies, and extra time in the classroom and in other school settings, as other settings are appropriate.

## 126CSR42

a. Each county, school and teacher has a system for analyzing, interpreting and using student performance school or county data prior to the beginning of the school year. Data are to be used to identify and assist students who are not at or above mastery on the state approved content standards, objectives and performance descriptors.

### **§126-42-11. School, County, RESA and Other Assessments.**

11.1. The school, county, or RESA may develop assessments aligned with the state content standards, objectives and performance descriptors to drive instructional improvement for all students.

11.1.1. Assessments may include standard, non-standard, performance assessments or portfolios, observation performance data, achievement checklists, teacher made tests and other assessments that are at the direction of and use by the classroom teacher.

11.1.2. A system of diagnostic assessments to determine the performance levels is to be used in grades k-3, such as the WVDE informal reading and mathematics assessments or comparable assessments approved by the WVDE aligned to the content standards.

11.2. All public school students may be assessed with the appropriate end-of-course (hereinafter EOC) tests at the grade level in which they are enrolled and taking the course. All public school eligible students with disabilities under Policy 2419 or Section 504 will be assessed with the appropriate accommodations and/or with modifications as determined by their respective IEP Teams or Section 504 Committees or LEP Committees. (Policy 2340, Sections 3.1 and 4.4)

### **§126-42-12. Program Accountability.**

12.1. The WVBE has adopted the following goals from NCLB to guide accountability for schools, county school districts and the state.

12.1.1. By 2013-2014, all students will reach high standards, at a minimum attaining mastery or better in reading and math.

12.1.2. All limited English proficient students will become proficient in English and reach high academic standards, at a minimum attaining mastery or better in reading/language arts and mathematics.

12.1.3. By 2005-06, all students will be taught by highly qualified teachers.

12.1.4. All students will be educated in learning environments that are safe, drug free, and conducive to learning.

## 126CSR42

12.1.5. All students will graduate from high school.

12.2. A single system of accountability will be applied to all public schools and county school districts in West Virginia. See 126CSR13, WVBE Policy 2320, A Process for Improving Education: Performance Based Accreditation System (hereinafter Policy 2320) for guidelines for the accountability system.

### **§126-42-13. Program Improvement.**

13.1. County Improvement.

13.1.1. Each county shall develop and implement a Five-Year Unified Strategic Plan that contains at least the following:

a. Procedures and activities to strengthen the county education program in order to increase student achievement.

b. 1) Core beliefs and mission, 2) needs assessment, 3) improvement goals, 4) improvement objectives and activities, 5) professional development activities, 6) a system for monitoring and supporting the implementation and effectiveness of activities, 7) an evaluation process, and 8) a budget.

13.1.2. Each county school system shall have a County School Support Team which is responsible for supporting all county schools identified for improvement. The County School Support Team members are appointed by the county superintendent and may include distinguished teachers, distinguished principals, special education professionals, Title I professionals, WVDE professionals, RESA professionals, curriculum and instruction professionals, and/or data analysis professionals. The County School Support Team may be the same membership as the School System Leadership Team, at the discretion of the county superintendent.

13.1.3. The County School Support team shall have the following responsibilities:

a. review all facets of the schools' operations, including the design and operation of the instructional program, and make recommendations for improving student performance.

b. collaborate with the School Support Team, county staff, and the WVDE in the review of school improvement goals, development of the plan, and plan implementation.

## 126CSR42

c. continuously monitor the implementation of the school improvement plan.

d. make additional recommendations to the county and the WVDE concerning assistance that is needed by the school or the School Support Team.

### 13.2. School Improvement.

13.2.1. Every school must develop and implement a Five-Year School Strategic Plan designed to bring all students to mastery and beyond and to close the achievement gap, and adhere to the following criteria:

a. Prepared by the LSIC and other stakeholders as appropriate under the leadership of the school principal and in cooperation with the faculty senate, school technology team and school curriculum team.

b. Based upon: 1) Core beliefs and mission, 2) needs assessment, 3) improvement goals, 4) improvement objectives and activities, 5) professional development activities, 6) a system for monitoring and supporting the implementation and effectiveness of activities, 7) an evaluation process and 8) a budget.

c. Predicated on the establishment of high expectations for performance of all students in the school.

d. Aligned with the Five-Year Strategic Plan of the school system.

e. Presented to the county board of education as part of the annual meeting between the LSIC and the county board of education.

13.2.2. Each school identified for improvement shall have a School Support Team. The members of the School Support Team may include the same membership as the team preparing the strategic plan as appointed by the principal, and may include representatives from the Curriculum Team, Faculty Senate, Technology Team, and/or the LSIC.

13.2.3. The School Support Team shall have the following responsibilities:

a. analyze all facets of the school's operation, including the design and operation of the instructional program, which may include: all measures of students achievement, discipline, school climate, graduation rate, school survey results, Office of Education Performance Audits Review data, Title I monitoring results, special education monitoring results, and master schedules.

## 126CSR42

b. make recommendations for improving student performance in the school.

c. collaborate with parents, school staff, county, and the County School Support Team in the identification of school improvement goals, school improvement plan development, plan implementation, and continuous plan monitoring.

d. make additional recommendations to the County Support Team concerning additional assistance that is needed by the school or the School Support Team as the school implements the plan.

13.2.4. Schools will be selected to receive technical assistance based upon their status with regard to the performance measures and high quality standards set forth in Policy 2320. The WVDE will operate a school improvement program the purpose of which is to build the capacity of county school systems to adequately support schools identified for improvement.