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**TITLE 126
PROCEDURAL RULE
BOARD OF EDUCATION**

**SERIES 208
Programs to Strengthen Student Learning Ability (8350)**

' 126-208-1. General.

1.1. Scope. -- This procedural rule establishes the regulations for the establishment of a more formal method to fund programs that strengthen student learning ability.

1.2. Authority. -- W.Va. Const., Article XII, ' 2 and W.Va. Code ' 18-2-5 and ' 18-2-35.

1.3. Filing Date. -- November 15, 2002.

1.4. Effective Date. -- December 15, 2002.

1.5. Repeal of Former Rule - None, this is a new procedural rule.

' 126-208-2. Purpose.

2.1. To establish a more formal method to fund programs that strengthen student learning ability.

' 126-208-3. Program Content.

3.1. A school is not eligible to receive an award of funds appropriated for the purpose of strengthening student learning ability unless the proposed program includes the following:

3.1.1. Assessment of the cognitive abilities of students;

3.1.2. Physical screening that identifies barriers to a student-s ability to learn;

3.1.3. Development of a student-specific program to improve student learning ability based on the results of the assessment and physical screening;

3.1.4. Administration of learning development exercises that strengthen the ability of students to learn; and

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3.1.5. An evaluation of the program's impact, including factors such as: a) student test scores and other measures of student performance, b) the program's impact on special education referrals, c) program cost, and d) other information that the school may choose to provide for judging the value of the program.

' 126-208-4. Appropriation Priority.

4.1. The implementation of this program is most appropriate at the prekindergarten and elementary levels, therefore, prekindergarten through elementary levels (K-5) will receive priority and no more than twenty-five percent of total funds appropriated hereunder shall be distributed for use in grades six through twelve.

' 126-208-5. Application Review.

5.1. New applications will be judged for funding on a competitive basis based on need with consideration given to the following:

5.1.1. assessment test scores of the students,

5.1.2. percentage of students who are enrolled in special education programs,

5.1.3. dropout rates,

5.1.4. attendance rates,

5.1.5. the number of at-risk students,

5.1.6. monetary and in-kind resources available from other sources that will be committed to the program, and

5.1.7. grade level.

5.2. New applications will be reviewed by a panel of qualified educators.

5.3. Based on a competitive review, recommendations for funding of new applicants will be made by the West Virginia Department of Education personnel and final decisions will be made by the State Superintendent of Schools.

5.4. Continuation applications will be judged in accordance with ' 126-208-7.

' 126-208-6. New Application.

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6.1. Request for Proposals. - By June 30th of each year, the West Virginia Department of Education will distribute a request for proposals for new applicants to county superintendents.

6.2. The request for proposals will require each school to submit information outlined in ' 126-208-3. Program Content which includes a program evaluation.

6.3. Grants are funded for a period of one-year and may be continued, upon proper application, for an additional two years.

6.4. Proposals for new applications must be received by July 30th of each year.

6.5. Applications for funding shall be submitted to the:

Office of Instructional Services
West Virginia Department of Education
Building 6, Room 330
1900 Kanawha Boulevard, East
Charleston, WV 25305-0330.

6.6. Based on a competitive review, as outlined in ' 126-208-3 Program Content and ' 126-208-5 Application Review, recommendations for funding of new applicants will be made by the West Virginia Department of Education personnel and final decisions will be made by the State Superintendent of Schools.

6.7. Decisions for funding of awards are made by the State Superintendent of Schools and are final.

6.8. New grants will be awarded by August 30th of each year.

' 126-208-7. Continuation Application.

7.1. Continuation Application. - The West Virginia Department of Education will distribute, by April 30th of each year, an application for continuation for years two and three to applicants awarded an original grant. The Continuation Application will be sent to the school principal and shall include:

7.1.1. a checklist section to be completed by the principal of each school indicating that the school will accept a grant to implement the program in years two and three.

7.1.2. an evaluation effectiveness section which requires the school to submit

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evaluation information pertaining to the program's impact, including factors such as assessment test scores and other measures of student performance. Submitted information will be reviewed by the West Virginia Department of Education to determine the effectiveness of the program's implementation.

7.2. The Continuation Application must be received by May 30th of each year.

7.3. Continuation Applications for funding shall be submitted to the:

Office of Instructional Services
West Virginia Department of Education
Building 6, Room 330
1900 Kanawha Boulevard, East
Charleston, WV 25305-0330.

7.4. West Virginia Department of Education personnel will evaluate proposals for continued funding, based on the same criteria outlined in '126-208-3 Program Content and '126-208-5 Application Review, and may request additional information pertaining to the program's effectiveness.

7.5. Decisions for funding will be made by the State Superintendent of Schools and are final.

7.6. Grants will be awarded by August 30th of each year and shall not exceed the amount of funding awarded in the original grant.

' 126-208-8. Severability.

8.1. If any provision of this rule or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this rule.