

Table F1. West Virginia Funding for Education

Year	State Total Revenues	Amount (Percentage) of State Funding for K–12 Education	Amount (Percentage) of State Funding for Public Higher Education	Total State Funding Used to Support Public Education	Total Percentage of State Funding Used to Support Public Education
FY 2008	\$4,094,000,000	\$1,866,200,000 (45.6%)	\$454,000,000 (11.1%)	\$2,320,200,000	56.7%
FY 2009	\$4,268,000,000	\$1,914,900,000 (44.9%)	\$473,000,000 (11.1%)	\$2,387,900,000	56.0%

Equitable Funding for LEAs

West Virginia state policies are designed to provide equitable funding between high-need local education agencies (LEAs) and other LEAs as well as between high-poverty schools within LEAs and other schools. West Virginia is consistently ranked near the top regarding the equity of its state aid funding formula. For example, *Education Week* in its 2009 edition of *Quality Counts* reported that the difference in per-pupil expenditures between the district with the highest per-pupil expenditures and the district with the lowest per-pupil expenditures was the smallest in the nation (Appendix F-2).

The Public School Support Program (PSSP) ensures that all schools receive this equitable financial support for public schools in West Virginia (Appendix F-3). PSSP specifies the statutory responsibilities of both the state and the 55 county school districts. The state formula provides allowances for personnel salaries, employee benefit costs, transportation operating costs, general operating costs, substitute costs and allowances for faculty senates, and improvement of instructional programs, increase in technology funding, and advanced placement programs. Additional allowances are provided for alternative education, increased enrollment, and other programs.

(F)(2) Ensuring successful conditions for high-performing charter schools and other innovative schools (40 points)

The extent to which—

- (i) The State has a charter school law that does not prohibit or effectively inhibit increasing the number of high-performing charter schools (as defined in this notice) in the State, measured (as set forth in Appendix B) by the percentage of total schools in the State that are allowed to be charter schools or otherwise restrict student enrollment in charter schools;
- (ii) The State has laws, statutes, regulations, or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools; in particular, whether authorizers require that student achievement (as defined in this notice) be one significant factor, among others, in authorization or renewal; encourage charter schools that serve student populations that are similar to local district student populations, especially relative to high-need students (as defined in this notice); and have closed or not renewed ineffective charter schools;
- (iii) The State’s charter schools receive (as set forth in Appendix B) equitable funding compared to traditional public schools, and a commensurate share of local, State, and Federal revenues;
- (iv) The State provides charter schools with funding for facilities (for leasing facilities, purchasing facilities, or making tenant improvements), assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, or other supports; and the extent to which the State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools; and
- (v) The State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

In the text box below, the State shall describe its current status in meeting the criterion. The narrative or attachments shall also include, at a minimum, the evidence listed below, and how each piece of evidence demonstrates the State’s success in meeting the criterion. The narrative and attachments may also include any additional information the State believes will be helpful to peer reviewers. For attachments included in the Appendix, note in the narrative the location where the attachments can be found.

Evidence for (F)(2)(i):

- A description of the State’s applicable laws, statutes, regulations, or other relevant legal documents.
- The number of charter schools allowed under State law and the percentage this represents of the total number of schools in the State.
- The number and types of charter schools currently operating in the State.

Evidence for (F)(2)(ii):

- A description of the State’s approach to charter school accountability and authorization, and a description of the State’s applicable laws, statutes, regulations, or other relevant legal documents.

- For each of the last five years:
 - The number of charter school applications made in the State.
 - The number of charter school applications approved.
 - The number of charter school applications denied and reasons for the denials (academic, financial, low enrollment, other).
 - The number of charter schools closed (including charter schools that were not reauthorized to operate).

Evidence for (F)(2)(iii):

- A description of the State’s applicable statutes, regulations, or other relevant legal documents.
- A description of the State’s approach to charter school funding, the amount of funding passed through to charter schools per student, and how those amounts compare with traditional public school per-student funding allocations.

Evidence for (F)(2)(iv):

- A description of the State’s applicable statutes, regulations, or other relevant legal documents.
- A description of the statewide facilities supports provided to charter schools, if any.

Evidence for (F)(2)(v):

- A description of how the State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

Recommended maximum response length: Six pages

West Virginia does not currently have a charter law. Interest from charter management organizations has not been great in West Virginia, making charter schools a relatively untouched conversation in educational planning in West Virginia. The relatively low interest in charter schools may be due to the state’s rural context because charter management organizations tend to migrate to urban areas where they can attract greater numbers of students. However, the West Virginia Department of Education understands the importance of providing schools with the autonomy needed to solve educational problems and increase student achievement. To help fill the void of charter schools, the West Virginia Legislature passed a bill in June 2009 (H.B. 109) authorizing school innovation zones. Innovation zones enable LEAs to operate innovative, autonomous public schools that have structures similar to charter schools. W. Va. Code §18-5B-1 through §18-5B-9 describes the provisions of the School Innovation Zones Act (Appendix F-4).

Innovation zones encourage schools across the state to pilot projects that use innovation to break down existing patterns within the school that prevent increases in student achievement. Innovation zones may happen within a school or within a consortium of schools. They allow waivers to state laws, rules, and policies to give teachers and principals greater local control over the curriculum, schedule, and staffing in their schools. Elements of innovation zones within the public school structure include: (1) flexibility in policy and code to define instructional models and curriculum while allowing for increased accountability for student achievement; (2) alteration of the school calendar and school day to meet the needs of today’s students and provide time for job-embedded professional development; (3) creation and expenditure of supplementary innovation zone budgets by local educators; (4) restructuring of school governance to elevate teacher and student voice; and (5) opportunity for institutions of higher education to establish innovation zone schools as laboratory schools in collaboration with the local school district.

Since passage and enactment of the School Innovation Zones Act in summer 2009, 45 schools and school consortiums have applied for innovation zone status. The first application review was recently completed, and 19 applicants were awarded innovation zone status—95% of them requested waiver of policy or code (Appendix F-5). The designated innovation zones are distributed across the state and consist of at least one school or consortium in every regional education service area in West Virginia. The innovations awarded propose a significant paradigm shift within schools and request waivers to state laws, rules, and policies. These waivers will allow teachers and principals greater local control over the curriculum, schedule, and staffing in their schools. In addition, the West Virginia Department of Education will form a statewide team with representatives from these innovation zones to support each other as they implement their innovations.

(F)(3) Demonstrating other significant reform conditions (5 points)

The extent to which the State, in addition to information provided under other State Reform Conditions Criteria, has created, through law, regulation, or policy, other conditions favorable to education reform or innovation that have increased student achievement or graduation rates, narrowed achievement gaps, or resulted in other important outcomes.

In the text box below, the State shall describe its current status in meeting the criterion. The narrative or attachments shall also include, at a minimum, the evidence listed below, and how each piece of evidence demonstrates the State’s success in meeting the criterion. The narrative and attachments may also include any additional information the State believes will be helpful to peer