



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-069
RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: Regulations for Juvenile Diversion and Transition Programs (2800)
CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/17/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jacob Green, Superintendent, West Virginia Schools of Diversion and Transition

ADDRESS: Capitol Building 6, Room 825
Charleston, West Virginia 25305

EMAIL: jgreen@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

Policy 2800 sets forth the rules and regulations for schools operated by the West Virginia Schools of Diversion and Transition (WVSDT) in providing educational programs and services for school-aged juveniles placed in juvenile correctional centers, juvenile detention centers, residential treatment facilities, and truancy diversion classrooms.

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN THE RULE AND A STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE:

Policy 2800 has been amended to remove outdated language or language appropriate for inclusion in the WVSDT policy and procedures manual. Any language added represents updates and best practice language since the last revision of the rule.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

There will be no economic impact on revenues of state government as a result of the proposed amendment of W. Va. 126CSR69, Policy 2800.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

There will be no economic impact on special revenue accounts as a result of the proposed amendment of W. Va. 126CSR69, Policy 2800.

C. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS:

There will be no economic impact on the state or its residents as a result of the proposed amendment of W. Va. 126CSR69, Policy 2800.

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2021 Increase/Decrease (use "-")	2022 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0	0	0
Personal Services	0	0	0
Current Expenses	0	0	0
Repairs and Alterations	0	0	0
Assets	0	0	0
Other	0	0	0
2. Estimated Total Revenues	0	0	0

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

No costs, revenue, or economic impact to the state or its residents will result from the proposed amendment of W. Va. 126CSR69, Policy 2800.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Michele L Blatt -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

**Policy 2800, Regulations for Juvenile Diversion and Transition Programs
List of Stakeholders**

**West Virginia Department of Education
West Virginia Schools of Diversion and Transition (WVSDT)**

External Stakeholders

- Cindy Largent-Hill, Director, Division of Children and Juvenile Services, Supreme Court of Appeals of West Virginia
- Denny Dodson, Chief of Operations, Bureau of Juvenile Services
- Robin Renquest, Senior Director, Pressley Ridge

Internal Stakeholders

- Josh Rutherford, Teacher, Barboursville School, WVSDT
- Rachel Stewart, Transition Specialist, WVSDT
- Spring Bailey, School Counselor, Sam Perdue Juvenile Center, WVSDT
- Robert Buckland, Principal, Beckley Center School, WVSDT
- Junior Helmick, Principal, Kenneth Rubenstein Juvenile Center
- Lyn Guy, Principal, Davis-Stuart School, WVSDT
- Christopher Good, Principal, James "Tiger" Morton Center, WVSDT
- Jared Hughes, Manager, WVSDT
- Jacob Green, Superintendent, WVSDT

126CSR69

**TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION**

**SERIES 69
REGULATIONS FOR JUVENILE DIVERSION AND TRANSITION PROGRAMS (2800)**

§126-69-1. General.

1.1. Scope. -- This legislative rule describes the rules and regulations for schools operated by the West Virginia Schools of Diversion and Transition (WVSDT) in providing educational programs and services for school-aged juveniles placed in juvenile correctional centers, juvenile detention centers, residential treatment facilities, and truancy diversion classrooms.

1.2. Authority. -- W. Va. Constitution, Article XII, §2; and W. Va. Code §§18-2-5, 18-2-13f, 18-2-13h, 49-2-908, 49-2-912, and 49-4-721.

1.3. Filing Date. -- .

1.4. Effective Date. -- July 1, 2021.

1.5. Repeal of Former Rule. -- This legislative rule repeals and replaces W. Va. 126CSR69, Policy 2800, Regulations for the Education of Juveniles Placed in Secure Predispositional Detention Centers, filed September 6, 2012, and effective October 9, 2012; and repeals W. Va. 126CSR53, Policy 2325, High Quality Standards for Juvenile Institutional Education Programs, filed April 20, 2009, and effective May 11, 2009.

§126-69-2. Definitions.

2.1. Career and Technical Education (CTE). Term applied to schools, institutions, and educational programs that specialize in the highly-skilled trades, applied sciences, modern technologies, and career preparation for high-demand jobs.

2.2. High School Equivalency. Alternative diploma earned by demonstrating the attainment of skills equivalent to those at the high school completion level.

2.3. Host Agency. Owner and/or operator of the physical grounds where each WVSDT school is located (e.g., West Virginia Bureau of Juvenile Services, the West Virginia Division of Corrections and Rehabilitation, the contracted service provider for residential services licensed by the West Virginia Department of Health and Human Resources (WVDHHR), or the local school district).

2.4. School-Aged Student. Students between the ages of three and 21, provided students have not yet turned 21 years of age prior to September 1.

2.5. West Virginia Schools of Diversion and Transition (WVSDT). Organization under the supervision of the West Virginia Board of Education (WVBE) and West Virginia Department of Education (WVDE) that is responsible for the education of individuals in juvenile correctional centers, juvenile detention centers, residential treatment facilities, adult correctional centers, regional jails, and truancy diversion classrooms.

§126-69-3. Authority and Responsibility.

3.1. WVSDT educational programs are subject to WVBE policies and applicable state and federal laws and regulations.

3.2. WVSDT provides a comprehensive education for school-aged juveniles within juvenile detention, correctional centers, and WVDHHR licensed residential treatment facilities.

3.3. The WVBE and WVDE provide educational services in counties with an approved truancy diversion classroom provided the county board of education (county) voluntarily partners with the WVDE and WVBE.

3.4. Day-to-day operations and responsibilities shall be defined and described in the WVSDT Employee Handbook and WVSDT Operational Procedures.

§126-69-4. Educational Programming and Operations.

4.1. Opportunities. School-aged students educated in schools operated by the WVSDT shall have thorough and efficient educational opportunities.

4.1.a. School-aged students served in WVSDT schools, including exceptional students placed in WVSDT schools, shall receive a free appropriate public education in accordance with applicable regulations under W. Va. 126CSR16, Policy 2419, Regulations for the Education of Students with Exceptionalities.

4.2. WVSDT schools and classrooms serving school-age juveniles shall adhere to the following standards when implementing educational services.

4.2.a. Operational Procedures. The Superintendent of the WVSDT or designee is authorized to develop written operational procedures to implement the intent and provisions of this policy. WVSDT shall establish operating policies and implement written procedures that reflect the WVBE's education standards. These standards ensure that juveniles in facilities governed by the WVBE and WVDE receive a thorough and efficient education in accordance with applicable state and federal laws, rules, and regulations; continue to advance in school; and prepare for re-entry to the local school, postsecondary education, or the world of work.

4.2.b. Curriculum and Instruction. Curriculum and instructional practices are based on state-approved standards and research and ensure that students in these facilities receive a thorough and efficient education. Standards are used to guide instruction and include technology standards.

4.2.c. High Expectations. WVSDT schools shall cultivate a culture of high expectations through curricular offerings and instructional and administrative practices, where stakeholders demonstrate high expectations for students and achievement.

4.2.d. Learning Environment. WVSDT schools shall provide a safe, positive, and nurturing environment that is conducive to learning.

4.2.e. Research-Based Instructional Strategies. WVSDT schools shall demonstrate the use of research-based instructional strategies that facilitate learning for students. These strategies shall include, but are not limited to, social justice initiatives and trauma-informed care and should focus on the special needs of each child.

4.2.f. Strategic Plan. WVSDT school leaders shall collaborate with school personnel to develop a strategic plan using data regarding student achievement and align it with the goals and priorities of the WVBE and WVDE to assure continuous improvement. The strategic plan will be posted on the WVSDT website for partners and others to access.

4.2.g. Data Analysis. WVSDT schools shall make data-informed decisions regarding instruction by collecting and analyzing student assessment and performance data. WVSDT schools shall use multiple measures to annually evaluate program effectiveness and student success.

4.2.h. Guidance and Advisement. Students shall receive personalized guidance and advisement opportunities regarding academics, careers, and pro-social/emotional development.

4.2.i. Lesson Planning. WVSDT teachers shall prepare lesson plans based on the state-approved content standards. WVSDT administrators shall review lesson plans quarterly, at a minimum, and provide written feedback.

4.2.j. Statewide Assessment. Students enrolled in WVSDT education programs shall participate in statewide assessment programs as applicable.

4.2.k. Local Assessment. Each student shall be administered reading/mathematics inventories at intake in order to build individualized learning plans based on the data reflected in the assessment. Staff shall refer the student for comprehensive educational assessments in suspected areas of need as appropriate. A report of findings and recommendations shall be prepared for each student and made available to the court for purposes of disposition and made available to the host agency for purposes of treatment and/or case planning and management.

4.2.l. Personnel. WVSDT schools shall conform with W. Va. Code, WVBE, and WVSDT policy to implement employment, hiring, assignment practices, and conduct evaluations for WVSDT staff. The professional educator(s) assigned to provide instructional services in the juvenile center shall hold or qualify for a West Virginia professional or temporary teaching certificate. At least one professional in a WVSDT school shall be endorsed in multi-categorical special education.

4.2.m. Eligible juvenile centers shall be accredited by a professional association every three years.

4.2.n. Facilities. WVSDT school facilities shall be safe and hazard-free, to adequately meet the students' needs and provide a positive learning environment.

4.2.o. School/Host Agency Collaboration. WVSDT leadership and host agencies shall collaborate to develop an interagency agreement that will ensure a safe and secure environment for students and staff. This interagency agreement shall support the delivery of a high-quality education program and must clearly specify host agency responsibilities for providing adequate facilities and maintenance as agreed upon within reasonable limits.

4.2.p. The WVSDT shall establish a calendar for the juvenile center education program in consultation with the director of the juvenile center. The calendar for the juvenile education program will include a regular school term in compliance with state law concerning the required number of instructional and non-instructional days. The calendar will also include 20 to 40 days of summer programming.

4.2.q. The juvenile education program shall provide students the opportunity for a full instructional day in accordance with W. Va. 126CSR42, Policy 2510, Assuring the Quality of Education: Regulations for Education Programs.

4.3. Truancy diversion/county collaborative classroom programs shall provide instruction as described in the memorandum of understanding with the county.

§126-69-5. Transition Services.

5.1. Transition Specialists are located across the state and assist school-aged juveniles with transition services, including but not limited to, transition from the facility back into the local school, post-secondary training, and employment. Transition specialists work cooperatively with counties and build partnerships to foster better outcomes for transitioning students. Transition specialists also collaborate with the host agency to establish permanency goals for students.

5.1.a. Transition outcomes shall be tracked using data collection to ensure the educational achievement of each student. Data collection shall be monitored monthly containing key elements, including but not limited to: number of days enrolled, credits earned, Option Pathway, Test Assessing Secondary Completion (TASC) diploma, employment, and enrollment in post-secondary or job training. Students shall be monitored for one-year post-discharge.

5.2. The juvenile center education program shall establish and implement written procedures for the immediate transfer of student records from the school of origin to the institution, from the institution to the school of origin, and from institution to institution. Procedures will include a protocol for ensuring the confidentiality of school records when sent or received.

5.2.a. Upon request from WVSDT staff, the school of origin shall promptly transfer student records to a juvenile facility.

5.3. Each county shall cooperate with the WVSDT in providing an adequate and appropriate education for students in placement. Students in transition from placement to the local school must be placed into the public school environment relevant to the student's programmatic and behavioral level. These students must be given equal access to educational programs and services. If alternative education placement has been selected, justification must be provided to the Transition Specialist unless this placement was recommended in the transition plan. Cooperation shall include, but is not limited to, the: 1) transfer of students' educational records in an expeditious manner upon request by WVDE staff; 2) development of a plan of transition, support, and integration at the receiving school to assure optimum conditions for enrollment; 3) acceptance of credits earned toward graduation upon documentation that completed coursework meet WVBE requirements; 4) inclusion of WVSDT staff in opportunities to participate in planned in-services and professional learning activities; 5) provision of technical assistance, upon request, from regional WVSDT staff; and, 6) development of mutual agreements to access needed services for students.

5.3.a. The plan of transition, support, and integration shall be developed by, at a minimum, the school counselor, school principal or designee, Transition Specialist, and/or parents/guardians. Other entities, including but not limited to, social services, residential providers, and/or the judiciary, may be involved in plan development.

5.4. WVSDT shall distribute a report template and annually collect results from counties regarding students who transfer back from out-of-home placements. The WVSDT and counties shall work cooperatively to ensure that transferring students are appropriately placed upon their return and that these students have access to the appropriate equitable opportunities and programming.

§126-69-6. Severability.

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

RECOMMENDED FOR REPEAL

**TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION**

**SERIES 53
HIGH QUALITY STANDARDS FOR JUVENILE
INSTITUTIONAL EDUCATION PROGRAMS (2325)**

TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION

SERIES 53
HIGH QUALITY STANDARDS FOR JUVENILE
INSTITUTIONAL EDUCATION PROGRAMS (2325)

§126-53-1. General.

1.1. Scope. -- This rule establishes high quality standards for juvenile institutional education programs under the governance of the West Virginia Board of Education (hereinafter WVBE) and the State Superintendent of Schools. The system of performance audits shall assist the Office of Institutional Education Programs (hereinafter OIEP) in ensuring that the high quality standards are met by schools. These standards are not applicable to education programs in short-term juvenile “detention” centers.

1.2. Authority. -- West Virginia Constitution, Article XII, §2 and W. Va. Code §§18-2-5, 18-2-13f and 18-2-13h.

1.3. Filing Date. -- April 10, 2009.

1.4. Effective Date. -- May 11, 2009.

1.5. Repeal of Former Rule. -- This rule amends W. Va. 126CSR53, High Quality Standards for Juvenile Institutional Education Programs, Policy 2325, filed July 13, 2006 and effective August 14, 2006.

§126-53-2. Purpose.

2.1. The purpose of establishing high quality standards for juvenile institutional education programs under the governance of the WVBE and State Superintendent of Schools is to provide for the accreditation of these programs by the Office of Education Performance Audits (hereinafter OEPA). Program accreditation assures effective and efficient education programs and accountability to the public for the education provided by the West Virginia Department of Education’s OIEP in juvenile institutions.

§126-53-3. High Quality Standards.

3.1. Operational Procedures. OIEP shall establish operational policies and implement written procedures that reflect the education standards adopted by the WVBE. These standards assure that juveniles in facilities under the governance of the WVBE and the State Superintendent of Schools are afforded the opportunity to receive an adequate and appropriate education in accordance with applicable state and federal laws, policies and regulations; continue to advance in school; and, prepare for reentry to the public schools, postsecondary education or the world of work.

3.2. Curriculum and Instruction. The curriculum and instructional practices of the organization and the school are based on WVBE and OIEP policy and research, and ensure that students in these facilities have an adequate and equitable opportunity to learn.

3.2.1. Curriculum Based on Content Standards and Objectives. The curriculum is based on the content standards and objectives approved by the WVBE. Content standards are used to guide instruction.

3.2.2. High Expectations. Through curricular offerings, and instructional and administrative practices, staff demonstrate high expectations for the learning and achieving of all students.

3.2.3. Learning Environment. School staff provide a safe, positive and nurturing environment that is conducive to learning.

3.2.4. Research Based Instructional Strategies. Staff demonstrate the use of research based instructional strategies that facilitate learning for all students.

3.2.5. Instruction. Instruction is based on four core academic areas (English/language arts/reading, mathematics, social studies, science) and programs in developmental guidance appropriate for the student's developmental and grade level. Elective offerings must be based on approved WVBE content standards and objectives or must have written goals and objectives that are approved by the Superintendent of OIEP. The instructional program will accommodate the frequent entry and exit of students. Frequent monitoring and assessment of student progress is utilized to guide and improve instruction.

3.2.6. Instruction in Writing. Instruction in writing shall be a part of every student's weekly education program. Feedback on student writing shall be provided.

3.2.7. Instructional Materials and Library/Technology Access. All students have access to approved and appropriate up-to-date textbooks, instructional materials, and other resources in all curricular areas. Students have regular access to library/educational technology centers or classroom libraries.

3.2.8. Multicultural Activities. Multicultural activities are included at all programmatic levels with an emphasis on prevention and zero tolerance for racial, sexual, religious/ethnic harassment, or violence. (126CSR18, WVBE Policy 2421, Racial, Sexual, Religious/Ethnic Harassment and Violence Policy, hereinafter Policy 2421.)

3.2.9. Instructional Day. Priority is given to teaching and learning with a focus on the active engagement of students during designated instructional class time. An instructional day is provided that includes a minimum of 315 minutes for kindergarten and grades 1 through 4; 330 minutes for grades 5 through 8; and 345 minutes for grades 9 through 12. The school submits to OIEP a calendar with a minimum 180 instructional days (W. Va. Code §18-5-45; 126CSR42, WVBE Policy 2510, Assuring The Quality of Education: Regulations for Education Programs, hereinafter Policy 2510). An extended school term is provided as required by statute or interagency agreement.

3.3. Student and School Planning and Performance. The school's education program provides the opportunity for students to learn at developmental and grade appropriate levels to acquire the knowledge and skills needed to advance and succeed in a competitive, changing society.

3.3.1. Mission and Goals. The mission and goals of the organization/school provide direction for planning the school's education program.

3.3.2. Strategic Plan. School leaders collaborate with school staff to develop and implement a formal, written strategic plan. The strategic plan is based on data regarding student achievement, program delivery, and student outcomes. The strategic plan provides for establishment, implementation, evaluation, and monitoring of a continuous process of school improvement. The strategic plan is reviewed and updated annually.

3.3.3. Data Analysis. The school analyzes, interprets, and uses student assessment and performance data to identify and assist students who are below grade level in achieving mastery of the state content standards and objectives. The school uses multiple measures to annually evaluate program effectiveness.

3.3.4. Staff Development (Continuing Education). The organization and school provide for the delivery of professional growth and development opportunities for employees.

3.3.5. Counseling Services. School counselors in long-term juvenile education programs spend at least sixty percent (60%) of their work schedule in a direct counseling relationship with students, and devote no more than forty percent (40%) of their work schedule to counseling related administrative activities.

3.3.6. Guidance and Advisement. Students are provided specific guidance and advisement opportunities in the areas of academic, career, and personal/social development. Students have an opportunity to review career clusters and to select a career cluster to explore in grades 9 and 10, and to choose a career major prior to completion of grade 10.

3.3.7. Student Assessment and Program Planning. Student Assistance Teams (SAT) use classroom observation, comprehensive assessment, and educational record reviews for the purpose of addressing academic and behavior performance and the development of academic and/or behavioral interventions/modifications as appropriate. SAT facilitates and expedites the development of an Individual Program and Transition Plan (IPTP) or an Individualized Education Program (IEP), as appropriate, for each student.

3.3.8. Lesson Planning. Teachers prepare lesson plans in advance. Lesson plans are based on approved content standards and objectives. The administrator reviews lesson plans a minimum of once each quarter and provides written feedback.

3.4. Regulatory Agency Reviews. Following facility reviews and inspections by regulatory agencies, findings are reported and deficiencies corrected consistent with interagency agreements.

3.4.1. Facilities are safe, free of hazards and adequate to meet the needs of students and provide an environment conducive to learning.

3.5. Administrative Practices. The organization and school consider data and research, and implement procedures that conform to W. Va. Code and WVBE and OIEP policy to achieve a consistent and efficient operation of education programs.

3.5.1. Legal Basis. There is a legal basis for the organization/school to provide education programs in facilities under the governance of WVBE and the State Superintendent of Schools.

3.5.2. School-Host Agency Collaboration. The school and host agency develop a collaborative partnership that ensures a positive school culture, safe and adequate facility for learning and supports the delivery of a high quality education program.

3.5.3. Codes of Conduct. The organization and school implement, investigate, and monitor the code of conduct for employees. (W.Va. Code §18-2E-5, 126CSR162, WVBE Policy 5902, Employee Code of Conduct, hereinafter Policy 5902 and OIEP Employee Handbook.)

3.5.4. Statewide Assessment. OIEP education programs shall participate in statewide assessment programs.

3.6. Personnel. OIEP shall employ personnel to deliver high quality programs and services that ensure academic success for all students; implement employment hiring and assignment practices that conform with W. Va. Code, WVBE and OIEP policy.

3.6.1. Hiring. OIEP follows hiring practices set forth in the WVBE approved Employee Handbook for Institutional Education Programs.

3.6.2. Licensure. Professional educators and other professional personnel are licensed for their assignments under WVBE policy.

3.6.3. Evaluation. OIEP implements an evaluation policy for professional and service personnel in accordance with OIEP policy.

3.6.4. Orientation and Mentoring. OIEP provides orientation and mentoring for new employees.

3.7. Safe, Drug Free, Violence Free, and Disciplined Schools. OIEP education programs maintain a safe, drug free, violence free, and disciplined learning environment that ensures the physical, social, and emotional well being of students and staff and that respects individual differences.

3.7.1. School Rules, Procedures, and Expectations. School rules, procedures, and expectations are written, clearly communicated, and enforced. (Policy 2510.)

3.7.2. OIEP implements WVBE and OIEP policy and W. Va. Code, governing employee disciplinary procedures; racial, sexual, religious/ethnic harassment and violence; substance abuse; tobacco use; student confidentiality; grading; health and safety of staff and students; security; staff-student relationships; supervision of students; and reporting of child abuse and neglect. (W. Va. Code §18-8-8 and §18A-5-1; Policy 2421; 126CSR51, WVBE Policy 2423, Communicable Disease Control Policy; 126CSR23, WVBE Policy 2422.5, Substance Abuse and Tobacco Control; 126CSR37, WVBE Policy 2515, Uniform Grading, and the OIEP Employee Handbook.)

3.8. Leadership. Effective leadership exists at the central office, school, and classroom levels. Leadership is demonstrated by vision, school culture, instruction, management, environment, community, and professionalism. (126CSR147, WVBE Policy 5500.03, Rules for Required Qualities, Proficiencies and Leadership Skills for Principals.)

3.8.1. Interagency Agreements. Agreements between OIEP and the host agency in each facility clearly specify host agency responsibilities for providing adequate facilities and maintenance.

§126-53-4. Severability.

4.1. 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.

**W. Va. 126CSR69, Policy 2800, Regulations for Juvenile Diversion and Transition Programs
Comment Response Form**

Comment Period Ends: May 17, 2021

NOTICE: *Comments, as submitted, shall be filed with the West Virginia Secretary of State's Office and open for public inspection and copying for a period of not less than five years.*

The following form is provided to assist those who choose to comment on Policy 2800, Regulations for Juvenile Diversion and Transition Programs. Additional sheets may be attached, if necessary.

Name: _____ Organization: _____

Title: _____

City: _____ State: _____

Please check the box below that best describes your role.

- | | | |
|---|--|---|
| <input type="checkbox"/> Superintendent | <input type="checkbox"/> Higher Educator | <input type="checkbox"/> Parent/Family |
| <input type="checkbox"/> Principal | <input type="checkbox"/> Teacher | <input type="checkbox"/> Community Member |
| <input type="checkbox"/> Professional Support Staff | <input type="checkbox"/> Service Personnel | <input type="checkbox"/> Other |

COMMENTS/SUGGESTIONS
§126-69-1. General.
§126-69-2. Definitions.
§126-69-3. Authority and Responsibility.
§126-69-4. Educational Programming and Operations.
§126-69-5. Transition Services.
§126-69-6. Severability.
Repeal of Policy 2325, High Quality Standards for Juvenile Institutional Education Programs

Please direct all comments to:
Jacob Green, Superintendent
West Virginia Schools of Diversion and Transition
West Virginia Department of Education
Capitol Building 6, Room 825
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330
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