

## 2024 Legislative Wrap-up

The 2024 West Virginia Legislative Session ended at midnight on Saturday, March 9. We appreciate all those who reached out to their legislators during the session to stand up for public education. We must remember to elect legislators who are pro public education and committed to improving our public schools this November.

Many education-related bills passed this session, and some have already been signed by Governor Jim Justice as of March 12. The following bills will go into effect on the date listed below.

### Completed legislation:

- 1) **SB 159** prohibits persons convicted of certain crimes against minors from holding positions on boards of education. *-awaiting governor's signature*
- 2) **SB 172** revises the requirements of local school improvement councils (LSIC). The bill changes the makeup of the LSIC by removing the requirement of a bus driver as one of the ESP members and gives the principal the ability to appoint the three parent/guardian/custodian members instead of a PTO election. The bill requires minutes to be taken at every meeting and then made available to the public on the school's website. The bill would also require the state board to ensure training in the role and governance of LSICs would be provided to principals, county boards, and others the state board determines appropriate, upon employment and every three years thereafter. This bill was signed by the governor on March 7 and goes into effect on May 26, 2024.
- 3) **SB 280** allows teachers to discuss scientific theories in public schools. *-awaiting governor's signature*
- 4) **SB 370** changes where decisions of an administrative law judge are enforceable, removing Kanawha Circuit Court and replacing it with "the circuit court situated in the judicial district in which the grievant is employed." Any appeals on decisions from the administrative law judge will now be to the Intermediate Court of Appeals instead of Kanawha Circuit Court. *-awaiting governor's signature*
- 5) **SB 466** requires the State Board of Education to develop the Safety While Accessing Technology education program. The bill states, "The state board shall, in collaboration with law-enforcement agencies, criminal justice agencies, and other nongovernmental organizations with experience in child online safety issues and human trafficking prevention, develop a Safety While Accessing Technology (SWAT) education program for elementary and secondary school students in the State of West Virginia." *-awaiting governor's signature*
- 6) **SB 487** requires periodic review of professional development for teachers and education staff. The review would happen every five years instead of every 10. *-awaiting governor's signature*
- 7) **SB 504** relates to a felony offense of sexual intercourse, intrusion or contact with a student. *-awaiting governor's signature*
- 8) **SB 568** creates a comprehensive system of support to address chronic student absenteeism statewide by requiring counties to take certain actions regarding truant students. *-awaiting governor's signature*
- 9) **HB 4709** relates to vocational and technical education programs. The bill establishes a pilot program for middle school students and states, "A four-year pilot program is hereby established to provide participating middle schools with an elective course to better prepare fifth through eighth grade students to take advantage of West Virginia's career and technical education programs and to

*improve students' college and career readiness prior to high school."* Participation in this middle school pilot program is contingent to the availability of existing funding. *-awaiting governor's signature*

- 10) **HB 4829** relates to the employment of service personnel and removes the requirement for a high school diploma or general education development (GED) certificate for school bus drivers who are 21 years of age or older. *-awaiting governor's signature*
- 11) **HB 4830** addresses the professional development of teachers. The bill changes annual training on warning signs and resources to assist in suicide prevention upon hiring and every three years thereafter. The bill does the same schedule change for training related to preventing child sexual abuse and recognizing and responding to suspected abuse and neglect. The same applies for training on harassment, intimidation or bullying policy and for the program on multicultural education. The bill also adds blood-borne pathogens to the annual first aide training and removes students from the training requirement. Under the section for Special Protections for Disabled Children Act, the bill adds training on the mandatory reporting process, and changes the schedule from annual to upon hiring and every three years thereafter. *-awaiting governor's signature*
- 12) **HB 4838** requires the county board of education to provide long-term substitutes with copies of the IEP and 504 plans for the students they serve. *-awaiting governor's signature*
- 13) **HB 4860** provides that a general education teacher shall not be responsible for daily accommodation logs. The general education teacher shall only be responsible for acknowledging, at the end of each grading period, that each accommodation, as required by the IEP, has been met. The bill states it is the responsibility of the special education instructor to monitor progress. The bill also states parents and guardians may request daily accommodation logs. *-awaiting governor's signature*
- 14) **HB 4863** allows representatives of a patriotic society, defined as any youth group listed in Title 36 of US code, the opportunity to speak with and recruit students to participate in their organizations during school hours. Boys Scouts, Girl Scouts, Boys and Girls Clubs of America, Future Farmers of America all fall under Title 36. Groups must obtain permission from the Board of Education before visiting a school. *-awaiting governor's signature*
- 15) **HB 4880** phases out the state tax on Social Security benefits. The phase-out would mean a 35% cut retroactive to January 1, 2024, a 65% cut in 2025, and a full 100% cut in 2026. *-awaiting governor's signature*
- 16) **HB 4883** is the pay raise bill. The bill contains the governor's pay raise of \$2,460 for teachers and \$140 per month for service professionals. *-awaiting governor's signature*
- 17) **HB 4945** allows the Hope Scholarship Board to estimate the number eligible for the scholarship instead of the exact number of participants from the previous year. That allows for more students to participate in the program. The bill also adds "All records accepted or maintained by the Board containing personally identifying information of a Hope Scholarship student, applicant, or parent are confidential and not a public record subject to release pursuant to the West Virginia Freedom of Information Act." *-awaiting governor's signature*
- 18) **HB 5056** allows qualified service professionals to substitute on a day-to-day basis outside of their regular full-time position if a qualified substitute is not available. *-awaiting governor's signature*
- 19) **HB 5105** allows for private schools to make a vaccination policy that could allow a religious exemption unless they participate in WVSSAC sports or competitive school clubs. It does not change the vaccine mandates for public schools. *-awaiting governor's signature*

- 20) **HB 5262** provides a list of duties school counselors may not perform without written agreement, defines "supplemental duty", and states that any supplemental duty exceeding the contracted day must be agreed upon, with pay, unless the duty is a result of an unanticipated emergency. *-awaiting governor's signature*
- 21) **HB 5514** enhances the training requirements for county boards of education members. The bill increases training hours from seven to 12 and adds training on fiscal responsibility. *-awaiting governor's signature*
- 22) **HB 5540** relates to fentanyl prevention and awareness Education (Laken's Law). Laken's Law would be used to prevent overdose deaths in teens and young adults in grades 6-12. Beginning with the 2024-2025 school year, students would receive instruction on fentanyl, heroin, and opioid awareness, prevention, and abuse. Students would be instructed in the life-saving use of FDA-approved opioid reversal agents such as NARCAN and the available state and community resources that work to prevent and reduce youth substance use. *-awaiting governor's signature*
- 23) **HB 5650** allows suspended school personnel to enter school property functions open to the public if deemed appropriate. *-awaiting governor's signature*

#### **Failed to pass:**

- **SB 152** states schools must display a durable poster or framed copy of the US motto "In God We Trust."
- **SB 468** requires a course in public schools on human development that shows the Meet Baby Olivia video created by pro-life group Live Action.
- **SB 727** revises the process for county boards to hire classroom aides and ECCATs by agreement of the principal and faculty senate hiring committee instead of the current seniority-based hiring system.
- **SB 614** relates to elementary behavior intervention and safety. The bill specifies requirements applicable to determine when the behavior of an elementary student is violent, threatening, or creates an unsafe learning environment.
- **SB 741** prohibits the creation, production, distribution, or possession of artificially generated child pornography. The obscene matter bill which targeted schools, libraries, and museums for prosecution regarding obscene material was amended into this bill late in the session.
- **SB 859** allows a prospective teaching candidate to gain certification if they have a bachelor's degree in a field other than teaching and passing the praxis. It also allows for a teaching candidate who passed all the teacher preparation coursework with a 3.0 to be licensed without having to take the praxis.
- **HB 4299** permits teachers in K-12 schools to be authorized to carry concealed firearms as designated school protection officers.
- **HB 4654** removes bona fide schools, public libraries, and museums from the list of exemptions from criminal liability relating to distribution and display to minor of obscene matter.
- **HB 4851** allows public and private schools in West Virginia to employ former police as school security personnel. The WV Guardian Program, which also included former military was amended into the bill late in the session.
- **HB 5553** adds a half credit in computer science to graduation requirements beginning with the freshman class of 2026-2027. Students could choose either a half credit in computer science or personal finance.