

2020 Legislative Update

- All information as of 3/10/2020. Not necessarily a complete review of all actions taken by the WV Legislature in the 2020 Regular Session.

What passed and what has been signed

- Only focusing on bills that passed and have been signed or are pending the Governor's signature
 - No education-related bills had been signed or vetoed as of 3/10/2020.
- Much didn't pass
 - Personal Finance, Home Ec graduation requirements
 - Calendar changes
 - Instructional day changes (> 5 hours per day)
- Some things are proposed every year and go nowhere...
 - Requiring a librarian in every school
 - Requiring a counselor for every 250 students
 - Requiring an RN in every county (new this year: in every school)

What passed

- SB 42 - Permitting faith-based electives in classroom drug prevention programs
 - Permits “faith-based electives for drug awareness in classrooms” in addition to other prevention programs; requires WVBE policy
- SB 230 – Requiring State Board of Education provide routine education in suicide prevention
 - Requires WVBE provide suicide prevention education program for educators rather than simply requiring dissemination of information to and opportunities to discuss with middle and high school students (still required)

What also passed

- SB 241 – Requiring State Board of Education develop method for student transportation costs as stand-alone consideration
 - Requires WVBE propose an increase in Step 2 (service personnel) for “lower-population density districts covering a large geographic area” before September 1, 2020
- SB 291 – Requiring PEIA and health insurance providers provide mental health parity

What passed as well

- SB 614 – Changing method of allocating funding from Safe School Funds
 - Allows funding from Safe Schools Fund to be re-allocated by the county to other schools until all schools have the required cameras in Special Education classrooms, then to any other school safety purpose
- SB 652 – Authorizing School Building Authority promulgate legislative rules
 - New rules regarding contractors, bids, etc., including a method for listing and not awarding bids to “bad” contractors

What passed, too

- SB 691 – Limiting programs adopted by State Board of Education
 - Restores ability of WVBE/WVDE to sponsor alternative certification programs without county partner(s)
- SB 723 – Requiring Department of Education develop plan based on analyzed data on school discipline
 - Requires study of school discipline data and development of plan to address disparities (racial, socio-economic status, etc.) – particularly OSS, expulsions

What passed additionally

- SB 842 – Requiring Superintendent of Schools establish a Behavior Interventionist Pilot Program in two school districts for five years
 - Two counties shall “among the highest number in the state of students with an IEP” and “a significant number of students enrolled with behavior issues” and “the resources to hire and train personnel who specialize in addressing students with behavior issues.”
- SB 852, 853 – Supplemental appropriations to SBA
 - Transfers \$37 million to the SBA for current fiscal year (2019-20)

What further passed

- HB 3127 – Relating to the Secondary School Activities Commission and participation by home schooled students
 - Student must enroll in at least one virtual course with the county and meet all other requirements (residency, age, fees, etc.)
- HB 4069 – West Virginia Student Religious Liberties Act
 - Relays certain federally-protected religious freedoms for students to the WV Code
 - Requires local board policy “substantially similar” to model policy listed in the act

What passed (continued)

- HB 4378 – Relating to disciplining teachers
 - Strengthens State Superintendent's authority to discipline teachers based on certification actions (more than just suspend or revoke)
 - Requires all certificate holders to maintain a “professional relationship with students at all times,” and specifies the penalty of 5 years of licensure revocation for sexual abuse, sexual misconduct, cruelty, inappropriate relationships, or “grooming” of a student.
 - Requires report to State Superintendent by county superintendent of any information, act, etc., as before, but now specifies this should happen even if the employee resigns during the course of an investigation and place a seven-business-day timeline on this report

What passed (continued)

- HB 4546 – Relating to tuberculosis testing for school superintendents
 - Aligns requirements on the county superintendent with requirements on all other school employees (testing can be ordered but is no longer required every two years)
- HB 4691 – Relating to employment in areas of critical need in public education
 - Replaces current “prospective employable professional personel” list with a “reserve list” pending assignment
 - Unclear what impact this will have practically – critical need area teachers are still MIA and RIF/transfer rules and timelines still apply
 - Adds counselors to list of possible critical need areas

What passed (continued)

- HB 4773 – Creating a workgroup to investigate and recommend screening protocols for adverse childhood trauma in this state
- HB 4780 – Permitting county boards to offer elective courses of instruction on the Bible
 - Grades 9 and above, limited to Old Testament, New Testament, or both

What passed (continued)

- HB 4790 – Relating to Career Technical Education for middle school students
 - Adds requirement that WVBE policy on CTE include middle school, with comprehensive career exploration through “foundational [CTE] courses, stand-alone career exploration courses and mini courses, field trips, guest speakers, and career mentors”
 - Requires elective CTE courses in middle school beginning 2022-23 that may include foundational CTE courses, CTE courses developed to focus on high-need occupational areas in the region, agriculture, industrial arts, and home economics
- HB 4804 – Relating to comprehensive systems of support for teacher and leader induction and professional growth
 - Provides additional funding for teacher / principal mentoring, including development of a “teacher leader framework”

What passed (continued)

- HB 4497 – Requiring an external defibrillator device at any secondary school athlete event
 - Requires the WVSSAC develop a rule that requires an AED be present at all middle and high school practices and games, as well as a posted emergency action plan; AED “shall be located as close to the event or practice activity as is possible”
 - Known as The Alex Miller Law