

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2672

FISCAL
NOTE

2015 Carryover

(BY DELEGATES ELDRIDGE, R. PHILLIPS AND HICKS)

[Introduced January 13, 2016; referred to the
Committee on Education then Finance.]

1 A BILL to amend and reenact §18-2-5 of the Code of West Virginia, 1931, as amended, relating
 2 to the State Board of Education; and providing that the board require that public schools
 3 provide facilities for students of all faiths and religions to have a place of fellowship, prayer
 4 and worship.

Be it enacted by the Legislature of West Virginia:

1 That §18-2-5 of the Code of West Virginia, 1931, as amended, be amended and reenacted
 2 to read as follows:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-5. Powers and duties generally; public school entrance age; "public schools" not to include kindergartens.

1 Subject to and in conformity with the Constitution and laws of this state, the State Board
 2 of Education shall exercise general supervision of the public schools of the state, and shall ~~make~~
 3 propose rules for legislative approval in accordance with ~~the provisions of~~ article three-b, chapter
 4 twenty-nine-a of this code for carrying into effect the laws and policies of the state relating to
 5 education, including rules relating to standards for performance and measures of accountability,
 6 the physical welfare of pupils, the education of all children of school age, school attendance,
 7 evening and continuation or part-time day schools, school extension work, the classification of
 8 schools, the issuing of certificates upon credentials, the distribution and care of free textbooks by
 9 the county boards of education, the general powers and duties of county boards of education,
 10 and of teachers, principals, supervisors and superintendents, the requirement that public schools
 11 provide facilities for students of all faiths and religions to have a place of fellowship, prayer and
 12 worship and such other matters pertaining to the public schools of the state as may seem to the
 13 state board to be necessary and expedient.

14 Notwithstanding any other provision of law which may be to the contrary, and

15 notwithstanding the rule-making powers given to the State Board of Education by this section, a
16 child ~~shall~~ may not be permitted to enter the public schools of this state in any school year,
17 beginning with the school year 1983-1984, unless ~~such~~ the child ~~be~~ is six years of age prior to
18 September 1, of ~~such~~ the school year or is attending public school in accordance with article
19 twenty of this chapter: *Provided*, That children who have successfully completed a kindergarten
20 program in the school year 1982-1983, may enter the public schools notwithstanding the
21 provisions of this section. The term "public schools" as used in the preceding sentence ~~shall~~
22 does not ~~be deemed to~~ include public kindergartens, but nothing herein ~~shall~~ may prevent a
23 county board from permitting a child enrolled in kindergarten from entering public schools for
24 attendance in particular curriculum areas.

25 The state board shall develop a three-year plan to provide for the transition to
26 developmental programming and instruction to be provided to the students in kindergarten
27 through fourth grade and further shall, include the method of information dissemination in order
28 to provide for parental preparation, and further shall, in conjunction with the professional
29 development center, develop an ongoing program for training of principals and classroom
30 teachers in methods of instruction to implement the developmental program. The existing
31 developmental programs throughout the state shall be involved in this process and shall be
32 provided an opportunity to assist in pilot programs to begin no later than September 1, 1991.
33 The plan shall be fully implemented by September 1, 1993.

NOTE: The purpose of this bill is to provide that the State Board of Education require that public schools provide facilities for students of all faiths and religions to have a place of fellowship, prayer and worship.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.