

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

### **House Bill 2806**

BY DELEGATES DEAN, PAYNTER, MAYNARD, BOOTH,

TONEY, BROWN, HORNBUCKLE AND WAMSLEY

[Introduced March 01, 2021; Referred to the

Committee on Education then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §18-2-25d, relating to providing a supplemental year for West Virginia high  
3 school students who have been affected by COVID-19 in order to complete their studies  
4 and remain with their parents another year, so long as they satisfy other necessary  
5 requirements; and providing for an effective date.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 2. STATE BOARD OF EDUCATION.**

### **§18-2-25d. Supplemental year for COVID-19.**

1 (a) Due to the COVID-19 pandemic's effect on school operations and student learning,  
2 notwithstanding any passing grades a student may receive during the 2020-2021 school year,  
3 any student enrolled in a West Virginia public school during the 2020-2021 school year may  
4 request to use the 2021-2022 school year as a supplemental school year to retake or supplement  
5 the courses the student has already taken. A student enrolled in a West Virginia public school  
6 during the 2020-2021 school year may request the supplemental school year notwithstanding the  
7 student satisfying state and district graduation requirements. A retaken course under this section  
8 shall not count as an additional credit towards graduation unless the student failed the original  
9 course. Retaking a course under this section shall count towards full-time enrollment for the  
10 student. A student shall submit the request to the local board of education by June 15, 2021. A  
11 local board of education shall not approve or reject requests on an individual basis, but shall  
12 determine by June 30, 2021, whether the district shall or shall not accept all requests.

13 (b) Any West Virginia nonpublic school may allow a student enrolled during the 2020-  
14 2021 school year to use the 2021-2022 school year as a supplemental school year to retake or  
15 supplement the courses the student has already taken.

16 (c) Notwithstanding any rule or regulation of the West Virginia Board of Education or the  
17 West Virginia Secondary Schools Activities Commission, if a member school provides evidence  
18 to the WVSSAC documenting a student as utilizing the 2021-2022 school year as a supplemental

19 school year under subsection (a) of this section at the member school, then the student shall have  
20 eight consecutive calendar years of eligibility from the date of first entry into grade six, and  
21 retaking courses pursuant to subsection (a) of this section shall not otherwise disqualify the  
22 student from eligibility. The WVSSAC may adopt rules, policies, and bylaws and promulgate  
23 administrative regulations necessary to carry out this section.

24 (d) Whereas the COVID-19 pandemic's impact on education throughout the state has  
25 resulted in a critical need to provide supplemental education to West Virginia's students, an  
26 emergency is hereby declared to exist, and this act takes effect upon its passage and approval  
27 by the Governor or upon its otherwise becoming a law.

NOTE: The purpose of this bill is to allow for students that have been affected by COVID-19 to be allowed another year to complete high school based upon academics and remain with their parents another year, so long as they satisfy other necessary requirements, and to provide an effective date.

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