

# **WEST VIRGINIA LEGISLATURE**

**2023 REGULAR SESSION**

**Introduced**

## **House Bill 2354**

By Delegate Hornbuckle

[Introduced January 11, 2023; 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 article,  
 2 designated §18-2L-1, §18-2L-2, §18-2L-3, and §18-2L-4, all relating to the establishment  
 3 of the "Student Rescue Act;" allowing for students of all grades in West Virginia to be able  
 4 to attend these courses if they so desire, and if there is enough interest, in order to make up  
 5 instructional time or educational opportunities lost for a pandemic, natural disaster, or other  
 6 singular event lasting more than 21 days; providing for a source of funding; and providing  
 7 an effective date.

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

**ARTICLE 2L. STUDENT RESCUE ACT.**

**§18-2L-1. Short title.**

1 This article shall be known and referred to as the "Student Rescue Act."

**§18-2L-2. Purpose.**

1 (a) It shall be required by all West Virginia county boards of education to offer a  
 2 concentrated program of summer instruction if there is a natural disaster, pandemic, or any other  
 3 singular event, lasting for more than 21 days, that interrupts, disrupts, or dislocates the students of  
 4 the county from their regular course of education for the normal school year.

5 (b) The county board is only required to offer these programs in the event of the  
 6 circumstances laid out in subsection (a) and is not mandated to proceed if no students or parents  
 7 register for the summer classes.

8 (c) The goal of the programs is dependent on the grade level of the students and are  
 9 described as follows:

10 (1) For high school students, these classes should be structured and be sufficient for the  
 11 students to make up class credits for any and all classes/subjects that were interrupted during the  
 12 school year; and

13 (2) For kindergarten, primary, and middle school students, these classes should be  
 14 designed to allow the students to meet and maintain their grade level of skills before the upcoming

15 academic year.

16 (d) The offerings should be subject to local control and will only be mandated on a county-  
17 by-county basis where a disaster, epidemic, or disrupting event has occurred.

18 (e) Counties may establish a system of application and registration with a reasonable  
19 deadline for applications to allow the counties to plan the programs needed and to allocate  
20 appropriate resources.

**§18-2L-3. Funding.**

1 The programs shall be funded (including, but not limited to, teacher pay, administration,  
2 building upkeep, student transportation, etc.) by the State of West Virginia, but only after all  
3 available sources of federal aid and funding are exhausted for this program.

**§18-2L-4. Effective date.**

1 This article shall become effective upon passage.

NOTE: The purpose of this bill is to create the "Student Rescue Act." The bill provides for students to make up time lost due to a natural disaster or pandemic lasting longer than 21 days and if there is enough interest from parents/students. The bill provides for a funding source. The bill provides 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.