

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **Senate Bill 290**

By Senator Grady

[Introduced January 11, 2024; referred  
to the Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §18-5-45b, relating to requiring the State Superintendent of Schools to  
 3 establish a three-year nontraditional school week pilot project in up to five county school  
 4 districts in which students in all grade levels are present four days per week and on the fifth  
 5 day, educators engage in activities designed to improve instruction, bus drivers and cooks  
 6 ensure that students have access to school breakfast and lunch, and instruction is  
 7 delivered to students through alternative methods; addressing priority of school districts to  
 8 designate for the pilot; requiring all school personnel to report for work, use personal leave,  
 9 or forgo pay on fifth day; requiring each participating county board to determine day of  
 10 week when students not present; designating allowable activities that educators may  
 11 engage in on day when students not present; specifying allowable alternative methods of  
 12 instruction; providing for updates to the Legislative Oversight Commission on Education  
 13 Accountability on the status of the pilots; and allowing state superintendent to end the pilot  
 14 in any county that he or she determines that the pilot is negatively impacting student  
 15 achievement.

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

**ARTICLE 5. COUNTY BOARD OF EDUCATION.**  
**§18-5-45b. Nontraditional school week pilot.**

1 (a) Effective July 1, 2025, the State Superintendent shall establish a three-year  
 2 nontraditional school week pilot project in up to five county school districts in which  
 3 notwithstanding any other provision of code or state board policy to the contrary:

4 (1) Students in all grade levels are present in the school four days per week; and

5 (2) On the fifth day when students are not present in school:

6 (A) Educators engage in activities designed to improve instruction as determined by the  
 7 county board;

8 (B) Bus drivers and cooks ensure that the students have access to school breakfast and

9 lunch; \_\_\_\_\_ and

10 (C) Instruction is delivered to students through alternative methods.

11 (b) In determining which county school districts to designate for the pilot, the State  
12 Superintendent shall prioritize any school district that:

13 (1) Has expressed interest in participating in the pilot; or

14 (2) Has different characteristics than other school districts chosen for the pilot in areas  
15 such as socioeconomic factors, the size of student enrollment, population density, or any other  
16 areas determined by the State Superintendent.

17 (c) On the fifth day when students are not present in school, all school personnel shall  
18 report to work at the same time and duration as on any other employment day, use personal leave  
19 on that day, or not be paid for that day if they have no personal leave accumulated. Any teacher  
20 who is required to be absent from school during the school day for personal business is  
21 encouraged to be absent on the fifth day when students are not present in school.

22 (d) Each county board participating in the pilot shall determine which day of the week  
23 students will not be present in school.

24 (e) Activities that educators may engage in on the day students are not present include  
25 professional development, collaboration, faculty senate meetings, instructional planning, parent-  
26 teacher conferences, and any other activities the county board determines will improve instruction.

27 (f) Alternative methods of instruction may include virtual learning, or any other alternative  
28 method of instruction determined by the county board.

29 (g) At the conclusion of each of the three school years, and after the comprehensive  
30 statewide student assessment scores become available, the State Superintendent shall update  
31 the Legislative Oversight Commission on Education Accountability on the status of the pilots in  
32 each of the school districts chosen for the pilots.

33 (h) The State Superintendent shall monitor student achievement as reported on the  
34 comprehensive statewide student assessment and any other measures available to the

- 35 superintendent. If at any point during the three-year pilot the State Superintendent determines that  
36 the pilot is negatively impacting student achievement in any of the counties implementing the pilot,  
37 he or she may end the pilot in that county before the end of the three-year period.

NOTE: The purpose of this bill is to the require the State Superintendent of Schools to establish a three-year nontraditional school week pilot project in up to five county school districts in which students in all grade levels are present four days per week and on the fifth day, educators engage in activities designed to improve instruction, bus drivers and cooks ensure that students have access to school breakfast and lunch, and instruction is delivered to students through alternative methods.

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