

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2622

By Delegates Longanacre, Ridenour, and Forsht

[Introduced January 17, 2023; 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 §18-8-1b, relating to education; compulsory school attendance; providing an
 3 exception to compulsory attendance for certain children who are nonresidents or children
 4 of nonresident immigrants; and requiring that these children speak English before being
 5 admitted into the general classroom of a public school in this state.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. COMPULSORY SCHOOL ATTENDANCE.

§18-8-1b. Exemptions to compulsory school attendance for children who cannot meet basic English speaking or reading standards as determined for English speaking children by the Board of Education; legislative purpose and intent.

1 (a) Currently many of our public school teachers in this state are struggling with how they
 2 are to educate children placed in their classrooms by either the state or county boards of
 3 education. Our teachers, for the most part, are not trained in more than one language and it is
 4 unfair for both the non-English speaking children or the English speaking teachers to place these
 5 children within the general classroom setting. The ability to not speak a non-native language is
 6 neither a physical or mental defect and the state or county boards of education should not treat
 7 these students as if they are special education kids. Learning English should be the very first step
 8 to receiving a quality public school education and high school diploma in this state. The public
 9 school teacher should not be made to choose between giving priority to his/her English speaking
 10 students or to the students who are falling behind due to not understanding the teachers guidance,
 11 instructions, or assignments. In response to the influx of non-English speaking minors across our
 12 state due to our National Open Borders Policy, the Legislature finds that:

13 (1) In order to ease the burden on county school boards of trying to hire the additional staff
 14 (English as a Second Language Coaches), at a cost millions of dollars brought on by the attempt
 15 to educate non-English speaking children in our English speaking classrooms, as the result of the
 16 non-English speaking persons coming into our state; (2) to decrease the tax burden on our citizens

17 who must fund this foreseen and predictable increase of non-English speakers competing for
18 seats in the general classroom with English speaking children; and (3) that to assure the long term
19 success of these non-English speaking minors by focusing solely upon ensuring that they learn
20 English prior to being thrust into a public school classroom where there may be no other students
21 or teachers who can communicate with them. Therefore, notwithstanding the provisions of §18-8-
22 1a of this code, no non English speaking child in the State of West Virginia may be admitted into
23 the general classroom of a public school in this state unless that child can speak basic English and
24 meet the same expectations of nonspecial education students who are native English speakers.

NOTE: The purpose of this bill is to provide an exception to compulsory school attendance for certain children who are non-English speaking; and requiring that these children speak English before being admitted into the general classroom of a public school in this state.

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