

# **WEST VIRGINIA LEGISLATURE**

## **2023 REGULAR SESSION**

**Introduced**

### **House Bill 2778**

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of The Executive]

[Introduced January 18, 2023; Referred to the  
Committee on Education]

1 A BILL to amend and reenact §18-5-27 of the Code of West Virginia, 1931, as amended, relating to  
 2 a school's requirement to publish curriculum online at the beginning of each new school  
 3 year, or within 30 days after curriculum is revised or new curriculum is adopted; requiring  
 4 schools to publish adopted, up-to-date classroom curriculum.

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

**ARTICLE 5. COUNTY BOARD OF EDUCATION.**

**§18-5-27. Requirement to publish curriculum online; Parental parental right to inspect instructional materials; listing books on syllabus; right to file complaint.**

1 (a) Each school shall ensure that adopted, up-to-date, classroom curriculum is posted on  
 2 the school's publicly accessible internet website at the beginning of each school year, or no later  
 3 than 30 business days after new or revised curriculum is adopted: *Provided*, That if the public  
 4 school has no publicly accessible website, the information shall be posted on the website of the  
 5 appropriate county board of education. For purposes of this section, classroom curriculum shall  
 6 include curriculum created pursuant to §18-5A-6 of this code.

7 ~~(a)~~ (b) Each classroom teacher shall comply with the request of any parent, custodian, or  
 8 guardian to inspect additional instructional materials adopted by the county board pursuant to §18-  
 9 2A-10 of this code, supplementary instructional materials that were not adopted by the county  
 10 board pursuant to §18-2A-10 of this code, and books in the classroom that are available for  
 11 students to read, subject to the following:

12 (1) Only the parent, custodian, or guardian of a child enrolled in the class may make a  
 13 request pursuant to this section;

14 (2) The classroom teacher may require that the parent, custodian, or guardian schedule an  
 15 appointment in order to inspect the instructional materials. If the classroom teacher requires an  
 16 appointment pursuant to this subdivision, the teacher shall schedule the appointment within 10  
 17 business days of the request of the parent, custodian, or guardian; and

18 (3) As part of the inspection and upon request of the parent, custodian, or guardian, the

19 classroom teacher shall demonstrate how the instructional material relates to the content  
20 standards adopted by the state board.

21 (b) For any class in which reading a book or books will be required, the classroom teacher  
22 shall include the book or books on a class syllabus. The classroom teacher shall make the  
23 syllabus available to any parent, custodian, or guardian of a child enrolled in the class upon  
24 request.

25 (c) Any parent, custodian, or guardian may file a complaint with the county superintendent,  
26 on a form developed and provided by the county superintendent, if the classroom teacher fails to  
27 comply with any provision of this section. If the complaint is not resolved by the county  
28 superintendent within seven business days, the parent, custodian, or guardian may file a  
29 complaint with the state superintendent or his or her designee. The state superintendent shall  
30 make a form available for parents to file a complaint pursuant to this subsection.

31 (d) By September 1 of each year, each county superintendent shall report to the state  
32 superintendent the number of complaints filed with him or her the previous school year. The state  
33 superintendent, annually by October 1, shall report to the Legislative Oversight Commission on  
34 Education Accountability the number of complaints filed during the previous school year. The  
35 report shall include the number of complaints filed statewide and by county.

36 (e) For purposes of this section, "parent" means a parent who has some allocation of  
37 physical custody of the child or who has some share of joint decision-making authority for the child.  
38 For purposes of this section, "custodian" means a person who has some allocation of physical  
39 custody of the child or who has provided to the school written permission of a parent to have  
40 access to the information contemplated by this section. For purposes of this section, "guardian"  
41 means a person other than a parent or custodian who, pursuant to a court order, acts in loco  
42 parentis for the child.

NOTE: The purpose of this bill is to require schools to publish the adopted, up-to-date  
classroom curriculum online at the beginning of each school year, or within 30 days of  
updating or adopting curriculum, to promote transparency in curriculum requirements.

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