

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4586

FISCAL
NOTE

By Delegate C. Pritt

[Introduced January 10, 2024; Referred
to the Committee on Education then Judiciary]

1 A BILL to amend and reenact §18-5-48 of the Code of West Virginia, 1931, as amended, relating to
 2 allowing county boards of education to employ armed veterans for the purpose of
 3 protecting West Virginia schools.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-48. Safety and security measures for school facilities; Safe Schools Fund created.

1 (a) Each county board of education, public charter school, and multicounty vocational
 2 center shall annually assess the safety and security of each of the school facilities for which they
 3 are responsible. Safety and security measures of each facility shall be upgraded when necessary
 4 to ensure, to the best of the county board's, public charter school governing board's or multicounty
 5 vocational center administrative council's ability, the safety of the students within each facility.
 6 Each county board of education, public charter school governing board, and multicounty
 7 vocational center administrative council shall report annually the safety and security measures it
 8 has put in place, including upgrades thereto, to the State Department of Education. Annually, the
 9 State Department of Education shall compile the information received and report it to the
 10 Legislative Oversight Commission on Education Accountability.

11 (b) As used in this section, "safety and security measures" means action taken by a county
 12 board of education, a public charter school, or multicounty vocational center that improves the
 13 security of a school facility and the safety of the students within such facility, including, but not
 14 limited to, hiring a school resource officer, installing weapon detection systems, upgrading facility
 15 doors or windows.

16 (c) There is hereby created in the State Treasury a special revenue fund to be known as
 17 the Safe Schools Fund. The fund shall consist of all moneys received from legislative
 18 appropriations and other sources to further the purpose of this section: *Provided*, That annually,
 19 the West Virginia Department of Education shall request an appropriation based on the requests
 20 of the county boards of education, public charter school governing boards and multicounty

21 vocational center administrative councils. Subject to legislative appropriation, the funds
22 appropriated annually to the School Safety Fund shall be distributed to the county boards of
23 education, public charter schools, and multicounty vocational centers, on the basis of need.
24 Moneys distributed from this fund shall not be used to make permanently affixed improvements,
25 alterations or additions to a physical facility that a county board of education, public charter school
26 or multicounty vocational center does not own. If the West Virginia Department of Education
27 distributes any moneys from this fund for the purpose of making safety improvements on or in a
28 facility that is not owned, it shall require that the improvements be accomplished in such a manner
29 that they may be removed with minimal effort. All moneys distributed from this fund shall be used
30 to support the purpose and intent of this section and all moneys must be spent to support the
31 school for which the funding was derived: *Provided, however,* That moneys distributed from this
32 fund also may be used for the purposes of §18-20-11 of this code, relating to video cameras in
33 certain special education classrooms: Until such time as all school facilities are in full compliance
34 with the special education video requirements, the West Virginia Department of Education shall
35 first allocate the funding appropriated for the Safe Schools Fund based on the remaining need for
36 video cameras in public school facilities. After all public school facilities have been provided
37 sufficient funds to meet the special education video camera requirements, the funds shall be
38 distributed by the West Virginia Department of Education to meet the needs of school facilities to
39 have safe school entry ways. After safe school entry way needs have been met, the West Virginia
40 Department of Education shall distribute funds based upon a determination of need. Any moneys
41 remaining in the fund at the close of the fiscal year shall be carried forward for use in the next fiscal
42 year. Fund balances shall be invested with the state's Consolidated Investment Fund and any and
43 all interest shall be used solely for the purposes that moneys deposited in the fund may be used
44 pursuant to this article.

45 (d) The West Virginia Board of Education shall promulgate rules pursuant to §29A-3B-1 *et*
46 *seq.* of this code to establish a process by which county boards of education, public charter school

47 governing boards and multicounty vocational center administrative councils may submit requests
48 to obtain needs-based funding from the Safe Schools Fund. Such rules shall address:

49 (1) The manner, time line and process for the submission of a request;

50 (2) The criteria by which requests shall be evaluated and prioritized; and

51 (3) Any other matters deemed necessary to further the goals of this article.

52 (e) Funding from this section may be used to hire armed veterans for the purposes of
53 protecting West Virginia schools. The veterans shall be used as follows:

54 (1) Before assuming duties, armed veterans hired for protecting schools shall undergo
55 proper training and education and must adhere to a certification process to involve firearms
56 training, de-escalation, and other techniques needed for the security of the schools.

57 (2) The majority of the training shall focus on the protocols and the strategy that military
58 veterans follow whenever a school shooting occurs.

NOTE: The purpose of this bill is to allow for county boards of education to employ armed veterans to protect West Virginia schools.

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