

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4792

By Delegates E. Pritt and Willis

[Introduced January 16, 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 §18A-3-13, relating to creating an in-person training course for principals in
 3 public schools; informing teachers of due process rights; and providing for an
 4 Individualized Education Program format.

Be it enacted by the Legislature of West Virginia: _

**ARTICLE 3. TRAINING, CERTIFICATION, LICENSING, PROFESSIONAL
 DEVELOPMENT.**

**§18A-3-13. Training course for principals in public schools; informing teachers of due
 process; IEP format.**

1 (a) Training course. – Principals who are employed with public schools in this state, and
 2 county board members in this state, shall receive a one-day informational training course, in
 3 person, covering the federal law on The Individuals with Disability Education Act 2004 (otherwise
 4 known as "IDEA 2004"), IDEA, Least Restrictive Environment LRE, updated discipline guidance
 5 that has been revised and sent out from the United States Department of Education, and parental
 6 rights when it comes to due process. The one-day training course shall include the following
 7 information:

8 (1) Principals and county board members shall be expected to know how many students
 9 are legally allowed in a special education classroom;

10 (2) Principals and county board members shall understand the way a waiver works in the
 11 case that the student to teacher ratio is over;

12 (3) Principals and county board members shall understand the teacher’s rights for due
 13 process;

14 (4) Principals and county board members shall understand the classroom teachers’ rights
 15 and that the teacher may not be reprimanded for advocating for their student; and

16 (5) Principals and county board members shall understand all information related to local

17 advocate agencies and local United States Department of Education funded advocacy agency.

18 (b) Time period. – This course shall be given before December 31, 2024, and shall only be
19 given afterwards to those having already received it if updated federal guidance is provided. It
20 shall also be given to any newly employed principal or to a newly elected county board member
21 after December 31, 2024.

22 (c) Due process rights. – Each principal and county board members shall inform teachers,
23 in person, of their due process rights; including but not limited to:

24 (1) The documentation process within a 45-day grading period for teachers;

25 (2) The rights of teachers when it comes to informing parents of local advocates who can
26 come to the Individualized Education Program ("IEP") meetings; and

27 (3) Protection methods in place for teachers who advocate for student placement.

28 (d) Individualized Education Program meeting format. – In every Individualized Education
29 Program meeting, a representative of the school shall explain to the guardian of the child, verbally,
30 the process for identifying a student, the parent and teachers due process rights, and local
31 advocacy centers information and points of contact.

NOTE: The purpose of this bill is to create an in-person training course for principals in public schools. The bill informs teachers of due process rights. Finally, the bill provides for an Individualized Education Program format.

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