

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5529

FISCAL
NOTE

By Delegates Pinson, Hanshaw (Mr. Speaker),
Ellington, Sheedy, Toney, Statler, Hardy, Burkhammer,
Stephens, Hornby, and Young

[Introduced February 09, 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 article,
 2 designated article §18-2L-1, relating to development of a plan to monitor and improve
 3 reading and math skills of children who are or have been in foster care.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2L. ACADEMIC SUPPORT FOR CHILDREN IN FOSTER CARE.

§18-2L-1. Academic support services for children or have been in foster care.

1 (a) The Legislature finds that:

2 (1) In 2023, West Virginia led the United States in the number of per capita children in
 3 foster care;

4 (2) Children in foster care may be placed in out of home care outside of their current school
 5 district;

6 (3) In 2023, West Virginia experienced historically high rates of foster children being placed
 7 out of state;

8 (4) Less than half of children who grow up in foster care have a high school diploma;

9 (5) Less than half of children who grow up in foster care are currently employed;

10 (6) The number of West Virginia children who grow up in foster care that are employed is
 11 below the national average;

12 (7) Children in West Virginia’s foster care system are much less likely to obtain higher
 13 education or vocational training than other children in West Virginia or foster children nationally;

14 (8) A strong foundation in English/language arts and math provides a basis for learning in
 15 all other subject areas and for on-the-job training;

16 (9) Per Article XII of the West Virginia Constitution, the West Virginia Legislature shall
 17 provide, by general law, for a thorough and efficient system of free schools;

18 (10) The Foster Child Bill of Rights, pursuant §49-2-126 of this code, recognizes that foster
 19 children have a right to attend school and the right to have access to information regarding
 20 available educational options.

21 (b) Under its authority granted in §18-3-10 of this code, the state superintendent shall work
22 with the West Virginia Department of Human Services to develop a strategic plan to monitor and
23 improve reading and math scores for children that are or have been in the foster care system.

24 (c) Under its authority granted in §49-2-101 of this code, the Commissioner for the Bureau
25 for Social Services shall work with the Department of Education to ensure foster children have
26 access to academic support services in reading and mathematics for elementary, middle and high
27 school students. These support services shall include an online math tool that provides students,
28 families, and educators access to videos with study experts, standards-aligned study guides and
29 workbooks, a personalized online middle and high school math remediation tool, print and digital
30 practice assessments that emulate state assessments, and tutoring available after school and on
31 the weekend from study experts, teachers, and peers on a moderated online discussion platform.
32 The support service tool must be available to the student in all out of home placements. The tool
33 will integrate with each individual school district's single sign-on system and rostering capabilities.

34 (d) On or before December 31, 2024, the Department of Human Services and the
35 Department of Education shall jointly file an initial report with the Joint Committee on Government
36 and Finance specifying quantifiable educational attainment metrics for children that are in foster
37 care or have been placed in foster care previously. This report shall include current aggregate
38 testing and assessment educational attainment metrics for foster children relative to non-foster
39 care children in West Virginia. Furthermore, the report shall include the most up to date national
40 surveys concerning how children aging out of foster care compare to their counterparts nationally
41 concerning educational attainment, work participation, and other measures of societal success.
42 The report shall include an update on the cost and evaluated success of academic support
43 services for foster children as described in this section. This report shall be filed annually with the
44 Joint Committee on Government and Finance by December 31.

NOTE: The purpose of this bill is to provide for the development of a plan to monitor and

improve reading and math skills of children who are or have been in foster care.

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