WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5654

By Delegate Rowe

[Introduced February 13, 2024; Referred to the Committee on Jails and Prisons then the Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15A-4-22, relating to the creation of a mandatory education program for all incarcerated individuals.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. Corrections Management.

§15A-4-22. Mandatory Educational Program for Incarcerated Individuals

The Division shall adopt regulations for all correctional institutions in the Division of Corrections and Rehabilitation for the implementation of a mandatory education program for all incarcerated individuals who fail to attain a minimum educational standard as set forth in this subsection.

(1) The regulations adopted by the Division shall:

(A) Require that the educational standard shall be the attainment of a General Educational Development (GED) diploma or a verified high school diploma;

(B) Apply only to any incarcerated individual who:

(i) Was received by the Division of Correction after July 1, 1987;

(ii) Has 18 months or more remaining to be served before a mandatory supervision release date;

(iii) Is not exempted due to a medical, developmental, or learning disability; and

(iiii) Does not possess a General Educational Development (GED) diploma or a verified high school diploma; and

(C) Require that any GED diploma be awarded in a timely manner and conferred in such a way as to be meaningfully available at the time of parole or release from incarceration; and

(2) Require any incarcerated individual to participate in:

1. The mandatory education program for at least 240 calendar days; or

2. A workforce skills training program.

(b) The Division of Corrections and Rehabilitation shall report to the Parole Board the academic progress of an incarcerated individual in the mandatory education program.

NOTE: The purpose of this bill is to ensure that GED training is offered to inmates on a timely basis and to ensure that it is meaningfully available at the time of parole or release.

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