

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]

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

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. CORRECTIONS MANAGEMENT.

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

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

5 (1) The regulations adopted by the Division shall:

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

8 (B) Apply only to any incarcerated individual who:

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

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

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

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

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

17 (2) Require any incarcerated individual to participate in:

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

19 2. A workforce skills training program.

20 (b) The Division of Corrections and Rehabilitation shall report to the Parole Board the

21 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.