

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

### **Committee Substitute**

**for**

### **Senate Bill 860**

By Senator Rucker

[Originating in the Committee on School Choice;

reported February 24, 2024]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §18-5G-14a, relating to creating alternative high-risk population public charter  
3 schools; describing students of said schools; and requiring the state board to promulgate a  
4 rule for funding.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 5G. PUBLIC CHARTER SCHOOLS.**

**§18-5G-14a. Alternative high-risk population public charter schools.**

1 (a) Alternative high-risk population public charter schools may be authorized and funded  
2 pursuant to this article. To be eligible for an alternative high-risk population public charter school,  
3 the school must have an unduplicated count of at least 70 percent of their total enrollment, upon  
4 first entry to the school, comprised of high-risk students and obtain approval from the Charter  
5 School Board certifying the school meets the criteria. "High Risk" students include the following:

6 (1) Students who have been expelled;

7 (2) Students who have been suspended more than 10 days in a school year;

8 (3) Wards of the court or dependents of the court;

9 (4) Recovered dropouts;

10 (5) Students who are habitually truant;

11 (6) Students who have been retained more than once in kindergarten through grade eight;

12 (7) Students who are credit deficient;

13 (8) Students who have a high-level transiency such as being enrolled in more than two  
14 schools during the past academic year or have changed secondary schools more than two times  
15 since entering high school;

16 (9) Foster youth;

17 (10) Homeless youth; and

18 (11) Students who need greater flexibility in scheduling or have circumstances which  
19 would benefit from this type of schooling.

20            (b) The state board shall promulgate a rule pursuant to the provisions of §29A-3B-1 et seq.  
21 of this code setting forth requirements for alternative high-risk population charter school funding.