

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2766

BY DELEGATE WAXMAN, DEAN, TONEY, HANNA, EVANS,
ATKINSON, KELLY, J., JENNINGS, THOMPSON, R., ZUKOFF
AND HORNBUCKLE

[Introduced January 30, 2019; 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 §18-5-46a, relating to a student not advancing to the next grade by teacher
 3 recommendation; limitations.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-46a. Advancement of student to next grade; teacher recommendation; chance to demonstrate necessary proficiency.

1 In grades K-5, if a teacher recommends that a student not be advanced to the next grade,
 2 parents may not overrule the teacher’s recommendation unless over summer break the student
 3 can be retested and demonstrate proficiency in the areas for which the teacher recommended
 4 that the student not be advanced to the next grade.

NOTE: The purpose of this bill is to provide that parents cannot overrule a teacher’s recommendation that a student not be advanced to the next grade unless the student is retested over summer break and can demonstrate proficiency in areas for which the teacher recommended the that the student not be advanced.

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