

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Originating

Senate Bill 736

By Senators Grady, Clements, Azinger, Deeds,
roberts, stover, taylor, and trump

[Originating in the Committee on Education; reported
on February 24, 2023]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §18-5-45b, relating to requiring the State Superintendent of Schools to
3 establish a three-year nontraditional school week pilot project in up to five county school
4 districts in which students in all grade levels are present four days per week and on the fifth
5 day, educators engage in activities designed to improve instruction, bus drivers and cooks
6 ensure that students have access to school breakfast and lunch, and instruction is
7 delivered to students through alternative methods; addressing priority of school districts to
8 designate for the pilot; requiring all school personnel to report for work, use personal leave,
9 or forgo pay on fifth day; requiring each participating county board to determine day of
10 week when students not present; designating allowable activities that educators may
11 engage in on day when students not present; specifying allowable alternative methods of
12 instruction; providing for updates to the Legislative Oversight Commission on Education
13 Accountability on the status of the pilots; and allowing state superintendent to end the pilot
14 in any county that he or she determines that the pilot is negatively impacting student
15 achievement.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-45b. Nontraditional school week pilot.

(a) Effective July 1, 2024, the State Superintendent shall establish a three-year nontraditional school week pilot project in up to five county school districts in which notwithstanding any other provision of code or state board policy to the contrary:

(1) Students in all grade levels are present in the school four days per week; and

(2) On the fifth day when students are not present in school:

(A) Educators engage in activities designed to improve instruction as determined by the county board;

(B) Bus drivers and cooks ensure that the students have access to school breakfast and

lunch; and

(C) Instruction is delivered to students through alternative methods.

(b) In determining which county school districts to designate for the pilot, the State Superintendent shall prioritize any school district that:

(1) Has expressed interest in participating in the pilot; or

(2) Has different characteristics than other school districts chosen for the pilot in areas such as socioeconomic factors, the size of student enrollment, population density, or any other areas determined by the State Superintendent.

(c) On the fifth day when students are not present in school, all school personnel shall report to work at the same time and duration as on any other employment day, use personal leave on that day, or not be paid for that day if they have no personal leave accumulated. Any teacher who is required to be absent from school during the school day for personal business is encouraged to be absent on the fifth day when students are not present in school.

(d) Each county board participating in the pilot shall determine which day of the week students will not be present in school.

(e) Activities that educators may engage in on the day students are not present include professional development, collaboration, faculty senate meetings, instructional planning, parent-teacher conferences, and any other activities the county board determines will improve instruction.

(f) Alternative methods of instruction may include virtual learning, or any other alternative method of instruction determined by the county board.

(g) At the conclusion of each of the three school years, and after the comprehensive statewide student assessment scores become available, the State Superintendent shall update the Legislative Oversight Commission on Education Accountability on the status of the pilots in each of the school districts chosen for the pilots.

(h) The State Superintendent shall monitor student achievement as reported on the comprehensive statewide student assessment and any other measures available to the

superintendent. If at any point during the three-year pilot the State Superintendent determines that the pilot is negatively impacting student achievement in any of the counties implementing the pilot, he or she may end the pilot in that county before the end of the three-year period.