WEST VIRGINIA LEGISLATURE 2024 REGULAR SESSION

Introduced

House Bill 5179

By Delegate Ellington, Hornby and Longanacre
[Introduced January 25, 2024; Referred to the
Committee on Education]

Intr HB 2024R3365

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-34-1, §18-34-2, and §18-34-3, all relating to the creation of Jaycie's Law; providing for legislative intent; requiring the West Virginia Department of Education to establish a policy to support the educational and parenting goals and improve the educational outcomes of pregnant and parenting students; requiring an allotment of time for a student's pregnancy, including 6 weeks for a natural birth and 8 weeks for a C-section birth; and providing for an effective date.

Legislative

intent.

Be it enacted by the Legislature of West Virginia:

ARTICLE 34. JAYCIE'S LAW.

§18-34-1.

1

2

3

4

5

6

7

	Sto-04-1: Legislative intent.
1	The West Virginia Legislature finds that parents of children throughout any age in middle or
2	high school should be given the utmost support, because they face a unique set of challenges and
3	circumstances on their road to graduation. School systems in West Virginia shall implement
4	programs to provide educational support to those students with children at any age through
5	graduation. The goal of this act is to assist these students to stay in school while providing enough
6	time for proper medical recovery after the birth of the child.
	§18-34-2. Policy enacted.
1	(a) A student's absence due to a student's pregnancy or parenting needs is a lawful
2	absence as provided under this section.
3	(b) Each county board shall develop a written attendance policy for pregnant and parenting
4	students that, at a minimum, meets the requirements of this article. The policy developed under
5	this section shall:
6	(1) Excuse all absences due to pregnancy – or parenting–related conditions, including
7	absences for:
8	(A) Labor;
9	(B) Delivery;

Intr HB 2024R3365

10	(C) Recovery; and
11	(D) Prenatal and postnatal medical appointments;
12	(2) Provide at least 6 weeks of excused absences for a mother the natural birth of the
13	student's child;
14	(3) Provide at least 8 weeks excused absences for a mother after the birth of the student's
15	child through a C-section;
16	(4) Provide excused absences for antenatal care by recommendation of the medical
17	provider;
18	(5) Provide two weeks excused absence for the father of the child;
19	(A) A doctor's excuse for every absence shall be provided.
20	(B) County boards shall ensure that the parent remains on track for graduation by providing
21	academic support options including, but not limited to, work provided virtually and a homebound
22	instructor for weekly visits to ensure accountability.
23	(5) Provide an excused absence for parenting students whose children are sick: Provided,
24	That they shall provide a doctor's excuse for that child.
25	(6) Require schools to reference the parenting student to a "pregnancy help organization"
26	as defined under §16-66-1 of this code.
	§18-34-3. Effective date.
1	This article shall become effective on July 1, 2024.
	NOTE: The purpose of this bill is to create "Javcie's Law" The bill provides for legislative

NOTE: The purpose of this bill is to create "Jaycie's Law." The bill provides for legislative intent. The bill allows for excused absences for student parents, with time periods for natural births and C-section births. The bill provides for excused absences in the event that a child of the student parent is sick, expectations for parenting education referencing, Finally, the bill provides for an effective date.

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