WEST virginia legislature

2024 regular session

Committee Substitute

for

Senate Bill 280

By Senators Grady, Stuart, Taylor, Roberts, Phillips, Deeds, Tarr, and Azinger

[Originating in the Committee on Education; reported January 17, 2024]

A BILL to amend and reenact §18-5-46 of the Code of West Virginia, 1931, as amended, relating to allowing a public school classroom teacher to discuss scientific theories of how the universe and/or life came to exist.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-46. Requiring teacher to change grade prohibited; teacher recommendation relating to promotion; allowing discussion of certain theories.

(a) No teacher may be required by a principal or any other person to change a student's grade on either an individual assignment or a report card unless there is clear and convincing evidence that there was a mathematical error in calculating the student's grade.

(b) The teacher's recommendation relating to whether a student should be promoted to the next grade level shall be a primary consideration when making such a determination.

(c) No public school board, school superintendent, or school principal shall prohibit a public school classroom teacher from discussing or answering questions from students about scientific theories of how the universe and/or life came to exist.