

# **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]



1 A BILL to amend and reenact §18-5-46 of the Code of West Virginia, 1931, as amended, relating  
2 to allowing a public school classroom teacher to discuss scientific theories of how the  
3 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.**

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

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

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