

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 376

By Senator Azinger

[Introduced January 12, 2024; referred
to the Committee on Education; and then to the
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §18-5-50, all relating to requiring law-enforcement agencies and child
 3 protective services to report certain allegations regarding school employees to county
 4 school personnel.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-50. Transparency of allegations against school employees involving students.

1 (a) The purpose of this section is to protect the children of West Virginia through the
 2 creation of requirements for communication and coordination of county school personnel, law
 3 enforcement agencies, Child Protective Services (CPS), and the Children's Listening Place.

4 (b) All law enforcement agencies that initiate an investigation of an employee of a school
 5 regarding allegations of inappropriate contact, abuse, neglect, or other crime involving a child
 6 attending a school, shall inform the county superintendent and human resources director within 48
 7 hours. The law enforcement agency shall provide the county school personnel with the name of
 8 the employee and the allegations that are being investigated.

9 (c) If CPS initiates an investigation of an employee of a school regarding allegations of
 10 inappropriate contact, abuse, neglect, or other crime involving a child attending a school, CPS
 11 shall inform the county superintendent and human resources director within 48 hours. CPS shall
 12 provide the county school personnel with the name of the employee and the allegations that are
 13 being investigated.

14 (d) In the event that a law enforcement agency or CPS advises county school personnel of
 15 an investigation of a school employee regarding allegations of abuse, neglect, inappropriate
 16 contact, or other crime regarding a student, the Children's Listening Place, or other places where
 17 children discuss potential abuse situations, shall provide all documentation and taped recordings
 18 of children to the superintendent and human resources director of the county where the crime
 19 allegedly occurred.

NOTE: The purpose of this bill is to create obligations on law enforcement and CPS to notify certain school personnel of investigations regarding school employees involving certain conduct towards students.

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