

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2819

By Delegates Crouse and White

Introduced February 24, 2025; referred to the

Committee on Education then the Judiciary

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
 2 designated §18-8-2a, relating to providing penalties for direct misinformation provided to
 3 parents, custodians, reviewers, and other individuals by county or state boards of
 4 education.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. COMPULSORY SCHOOL ATTENDANCE.

§18-8-2a. Penalties for direct misinformation.

1 (a) County or state boards of education shall incur a fine of \$500 for each incident providing
 2 misinformation to parents, custodians, reviewers, or any other individual through any form of
 3 communication, including but not limited to letters, emails, text messages, social media posts,
 4 verbal communication, or any other written or spoken formats. Fines shall be payable to the
 5 affected parent/individual immediately.

6 (b) Instances of misinformation for exemptions provided for in §18-8-1(c), §18-8-1(m), and
 7 §18-8-1(n) of this code subject to this penalty include but are not limited to:

8 (1) Incorrect guidance on filing a Notice of Intent (NOI) to homeschool;

9 (2) Misrepresentation of required information for a Notice of Intent;

10 (3) Including questions on the Notice of Intent that are not mandated by law without
 11 explicitly stating, in bold font and size equal to or larger than the question, that such information is
 12 not required by law and failure to provide it will not affect the homeschooling status;

13 (4) False or misleading information about the validity or recognition of homeschool
 14 diplomas;

15 (5) Misleading claims regarding homeschool students' eligibility to participate in public
 16 school sports;

17 (6) Inaccurate information about homeschool students' access to public school classes or
 18 programs; or

19 (7) Any other incorrect, incomplete, or inaccurate information given to homeschool/Hope

20 Scholarship/Microschool families.

21 (c) Penalties for Misinformation in Public Platforms: State or county boards of education
22 shall incur a fine of \$5,000 for each instance of misinformation disseminated through their official
23 websites and social media platforms or both official websites and social media platforms. An
24 additional fine of \$100 per day will be added for each day they remain. These fines shall split
25 equally and be payable to the West Virginia Home Educators Association and Christian Home
26 Educators of West Virginia to support these organizations in educating and informing parents
27 about their rights to homeschool and providing accurate resources.

28 (d) Penalties for not filing paperwork appropriately and on time for HOPE Scholarship
29 Recipients: County or state boards of education shall incur a fine equal to the amount of
30 scholarship lost by the parent/student paid immediately and directly to the affected HOPE
31 Scholarship families that paperwork was not filed in an appropriate and timely manner causing
32 them to lose their HOPE Scholarship. These funds are to be added into an account in the State
33 Treasurer's office in the names of the students.

34 (e) All fines collected under this section are intended to ensure compliance with legal
35 standards, reinforce transparency, and safeguard the rights of parents and guardians in the
36 educational process. Fines shall be payable to the affected parent/individual immediately.
37 Instances of misinformation for exemptions in §18-8-1(c), §18-8-1(m), and §18-8-1(n) of this code
38 subject to this penalty include, but are not limited to: Incorrect guidance on filing a Notice of Intent
39 (NOI) to homeschool.

40 (f) All fines collected under this bill are intended to ensure compliance with legal standards,
41 reinforce transparency, and safeguard the rights of parents and guardians in the educational
42 process.

NOTE: The purpose of this bill is to create penalties for county and state boards of education for providing misinformation to parents, custodians, reviewers, or any other individual through any form of communication.

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