

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

ENGROSSED

Committee Substitute

for

House Bill 2897

By Delegates Ellington, Statler, Hornby, Crouse,

Willis, Dittman, Toney, and Campbell

[Introduced March 18, 2025; referred to the

Committee on Education then Government

Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §18-2-46; relating to permitting the Joint Committee on Government and
3 Finance, in conjunction with the Legislative Oversight Commission on Education
4 Accountability, to direct the Legislative Auditor to conduct periodic performance audits of
5 the West Virginia Department of Education; allowing granting the Legislative Auditor the
6 power and authority to conduct examinations and inspections; requiring the Legislative
7 Auditor to protect the confidentiality, privacy, and security of protected information; and
8 establishing deadline for initial performance audit and reporting requirements.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE BOARD OF EDUCATION.

**§18-2-46. Requiring the Legislative Auditor to conduct periodic performance audits of the
West Virginia Department of Education.**

1 (a) The Joint Committee on Government and Finance, in conjunction with the Legislative
2 Oversight Commission on Education Accountability ("LOCEA") may, at reasonable and prudent
3 intervals, cause the Legislative Auditor to conduct performance audits of the West Virginia
4 Department of Education, as well as county boards or local districts who utilize state funding:
5 Provided, That LOCEA may request the Legislative Auditor perform a review upon a determination
6 by the commission and approval by the Joint Committee on Government and Finance.

7 (b) The Legislative Auditor shall have the power and authority to conduct a performance
8 audit of the West Virginia Department of Education, which shall allow the Legislative Auditor to
9 inspect all records and accounts of the department and to examine the personnel of the
10 department: Provided, That for any legally protected information provided or disclosed to the
11 Legislative Auditor pursuant to this section, the Legislative Auditor shall protect the confidentiality,
12 privacy, or security of the protected information in like manner and with the same duty as is
13 required of the West Virginia Department of Education. Additionally, the Legislative Auditor may
14 review productivity and meeting standards, while ensuring that local control is upheld.

15 (c) The Legislative Auditor shall complete an initial performance audit of the West Virginia
16 Department of Education by December 1, 2025, and, on that date, deliver a report thereof to the
17 Joint Committee on Government and Finance and to the Legislative Oversight Commission on
18 Education Accountability.