

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

### **ENROLLED**

#### **Committee Substitute**

**for**

#### **House Bill 2897**

BY DELEGATES ELLINGTON, STATLER, HORNBY, CROUSE,  
WILLIS, DITTMAN, TONEY, AND CAMPBELL

[Passed April 8, 2025; in effect 90 days from passage  
(July 7, 2025)]



1 AN ACT 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  
6 determination by the commission and approval by the Joint Committee on Government and  
7 Finance.

8 (b) The Legislative Auditor shall have the power and authority to conduct a performance  
9 audit of the West Virginia Department of Education, which shall allow the Legislative Auditor to  
10 inspect all records and accounts of the department and to examine the personnel of the  
11 department: *Provided*, That for any legally protected information provided or disclosed to the  
12 Legislative Auditor pursuant to this section, the Legislative Auditor shall protect the confidentiality,  
13 privacy, or security of the protected information in like manner and with the same duty as is

14 required of the West Virginia Department of Education. Additionally, the Legislative Auditor may  
15 review productivity and meeting standards, while ensuring that local control is upheld.

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

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

Originated in the House of Delegates.

In effect 90 days from passage.

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within is ..... this the.....  
Day of ....., 2025.

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*Governor*