

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 471

By Senators Rose and Thorne

[Introduced February 14, 2025; referred
to the Committee on Education; and then to the
Committee on Finance]

A BILL amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-9H-1, §18-9H-2, §18-9H-3, §18-9H-4, and §18-9H-5, relating to the revision of the school funding formula to be student-based; and ensuring equal accessibility to funds for school maintenance and consolidation.

Be it enacted by the Legislature of West Virginia:

ARTICLE 9H. STUDENT FIRST SCHOOL FUNDING ACT.

§18-9H-1. Legislative findings and purpose.

(a) The Legislature finds that the current school funding model does not sufficiently reflect the principle of equity where funds follow the student, nor does it provide balanced support for school maintenance compared to school consolidation efforts.

(b) The purpose of this act is to ensure that public education funding is allocated based on student enrollment and to make maintenance funds as accessible as those for school consolidation, thereby promoting both educational quality and fiscal responsibility.

§18-9H-2. Student-based funding formula.

(a) Funding Allocation - The State Board of Education, in collaboration with the Department of Education, shall implement a funding system where state funds are allocated directly per student enrolled in each school district.

(b) Base Funding - Each student shall be assigned a base amount of funding, with additional weighted allocations for:

(1) Students from low-income families;

(2) Students with disabilities;

(3) Students in gifted and talented programs;

(4) Students in rural or geographically isolated schools.

(c) Implementation -

(1) This formula shall be introduced starting with the fiscal year following the passage of this act.

(2) The State Board shall develop a transparent method for calculating weights and distributing funds.

(d) Local Contribution - Local districts are encouraged to supplement state funding but must ensure this supplementation is equitable across all students.

(e) Annual Review - The Legislature shall review the formula annually to adjust for inflation, changes in educational needs, and to ensure the model remains effective and fair.

§18-9H-3. Equal access to maintenance and consolidation funds.

(a) Equal Access Policy - Funds for school maintenance shall be made available with the same ease of access as funds for school consolidation, promoting the upkeep of existing school infrastructure.

(b) Maintenance Fund -

(1) A dedicated School Maintenance Fund shall be established, receiving annual appropriations from the state budget.

(2) Schools may apply for these funds for necessary repairs, renovations, and general upkeep, ensuring facilities are conducive to learning.

(c) Consolidation Fund - The existing School Consolidation Fund shall continue, but with revised guidelines to ensure that consolidation decisions are based on educational outcomes rather than solely financial considerations.

(d) Application Process -

(1) The application process for both maintenance and consolidation funds shall be streamlined, transparent, and equally accessible to all school districts.

(2) Criteria for fund allocation shall consider the urgency of maintenance needs, the educational impact of consolidation, and cost-effectiveness.

(e) Oversight - A legislative committee shall be established to oversee the distribution and use of both funds, ensuring they serve the best interests of students and taxpayers.

§18-9H-4. Reporting and accountability.

1 (a) Annual Reports - School districts must provide annual reports on how student-based
2 funds and maintenance/consolidation funds have been utilized, detailing educational outcomes
3 and facility improvements.

4 (b) Audit - The State Auditor shall conduct regular audits to ensure compliance with this
5 act's provisions and to maintain accountability in the use of public funds.

§18-9H-5. **Severability.**

1 Severability - If any provision of this act or the application thereof to any person or
2 circumstance is held invalid, such invalidity shall not affect other provisions or applications of this
3 act which can be given effect without the invalid provision or application, and to this end the
4 provisions of this act are declared to be severable.

NOTE: The purpose of this bill is to revise the school funding formula to be student-based and ensuring equal accessibility to funds for school maintenance and consolidation.

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