WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 706

By Senators Willis, Rose, Thorne, and Bartlett

[Introduced March 5, 2025; referred  
 to the Committee on the Judiciary]

A BILL to amend and reenact §18-2-5a of the Code of West Virginia, 1931, as amended, relating to bringing the West Virginia Department of Education under rule-making review of the Legislature.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-5a. Board rules to be filed with Legislature; West Virginia Department of Education rulemaking and review.

The State Board of Education shall file a copy of any rule that it proposes to promulgate, adopt, amend or repeal under the authority of the Constitution or of this code with the Legislative Oversight commission on education accountability pursuant to §29A-3B-1 *et seq*. of this code. "Rule," as used herein, means a regulation, standard, statement of policy, or interpretation of general application and future effect. Additionally, the West Virginia Department of Education shall propose rules for legislative approval pursuant to §29A-3-1 *et seq.* of this code, and rulemaking by the department shall not be implemented until the legislative rules have been approved by the Legislature.

NOTE: The purpose of this bill is to bring the West Virginia Department of Education (WVDE) under rulemaking review of the Legislature.

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