

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

ENROLLED

House Bill 5048

BY DELEGATES MOORE, KIMBLE, D. CANNON, COOP-
GONZALEZ, CHIARELLI, BROWNING, KYLE, MAZZOCCHI,
DRENNAN, ROHRBACH, AND DITTMAN

[Passed March 14, 2026; in effect 90 days from
passage (June 12, 2026)]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §49-2-125a, relating to ensuring that foster children awaiting residential
3 placement shall continue to receive education through virtual learning.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-125a. Right to education for residential placement of foster children.

1 (a) When a foster child is in the process of residential placement, the foster child shall
2 continue to receive his or her education through virtual learning while the foster child is awaiting
3 placement with a foster family.

4 (b) Virtual learning shall be done through the county where the foster student was last
5 enrolled, and if this is not possible, then the virtual learning shall occur in the county where the
6 foster child currently resides while awaiting residential placement: *Provided*, That if neither county
7 has the capability for virtual learning, then a public charter virtual school or the closest available
8 county with virtual learning capability shall be the county used by the foster student.

9 (c) Virtual learning shall take place in accordance with the provisions of §18-5F-1 *et seq.*
10 or §18-5G-1, *et seq.* of this code.

11 (d) The individual, group, or organization responsible for the foster child while the child is
12 awaiting residential placement shall receive information technology ("IT") training from West
13 Virginia Department of Education for purposes of ensuring the foster child shall receive virtual
14 learning. This training shall include education in every step needed for the student to be able to
15 log in and participate in the virtual courses the foster child is enrolled in. This training shall be at
16 the expense of the West Virginia Department of Education.

17 (e) The virtual instruction for the child awaiting residential placement shall occur no more
18 than three days after the child is in the temporary care of the individual, group, or organization.

19 (f) Once the foster child is placed with a foster family, the virtual learning information and
20 educational enrollment information received from the child shall be provided to both the foster
21 family and to the new county where the student is enrolled.

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

The within is this the.....
Day of, 2026.

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Governor