

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5346

By Delegates Pushkin, Hamilton, Willaims, Hansen,
Lewis, Garcia, Young, Fluharty, and Hornbuckle

[Introduced February 09, 2026; referred to the
Committee on Education then Finance]

1 A BILL amend the Code of West Virginia, 1931, as amended, by adding a new article, designated
 2 §18-2L-1, §18-2L-2, and §18-2L-3, relating to creating the school aid formula study
 3 commission; providing legislative findings; and providing for the commission membership;
 4 allowing expense reimbursements; and requiring reporting to the Legislature of the
 5 commission’s findings.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2L. SCHOOL AID FORMULA STUDY COMMISSION
§18-2L-1. School Aid Formula Study Commission.

1 This article shall be known as the "School Aid Formula Study Commission."

§18-2L-2. Legislative Findings.

1 The public schools in our state are an essential resource for West Virginians. Almost 90
 2 percent of all children in this state attend our free public schools. The school aid formula was
 3 devised to assure that all students across all counties were entitled to an equal and free public
 4 school education. In recent years public education has faced severe challenges including the
 5 COVID-19 pandemic, declining enrollment, and a divestment of funding and resources to private
 6 schools and home schooling. The loss of thousands of students from the public school system has
 7 reduced the available money to support our public schools forcing school closures, consolidations,
 8 program reductions and teacher and service personnel layoffs. As our state is predominately rural,
 9 as more schools close and programs are cut, the risk grows that the quality of the education will
 10 decline, and students will suffer. Schools provide the essential service of educating our students
 11 and serve as major employers and contributors to the local economy. The adequate funding of our
 12 public schools is essential to ensure our students receive a quality education. As long as West
 13 Virginia utilizes the current funding formula, there will be an incentive for school districts to reduce
 14 staffing and other variable costs or to close schools to reduce their fixed costs. Lawmakers and the
 15 public want to preserve community schools and address the evolving needs of students, therefor
 16 the funding formula must be modernized to reflect those priorities.

17 Therefore, a study shall be conducted by a special commission, designated the School Aid
18 Formula Study Commission to study options for revising the state school aid formula and to report
19 its recommendations to the Legislature to address what can be done to assure adequate and
20 stable funding for our public schools so West Virginia can continue its constitutionally required
21 duty to provide a free public school education.

§18-2L-3. Commission created; directed to undertake study; report to Legislature.

1 (a) The School Aid Formula Study Commission is hereby established and shall include the
2 following members:

3 (1) Four current members of the state school board and the chairman of the board serving
4 as chairman of the commission, with the participating school board members selected by the
5 chairman;

6 (2) The remaining members of the commission shall be selected by the Governor:

7 (A) Two members with expertise in school funding and finance;

8 (B) One member representing state teachers;

9 (C) One member representing state school personnel;

10 (D) One member representing of county school boards from a predominantly urban school
11 system;

12 (E) One member representing a county school board from a predominantly rural school
13 system;

14 (F) One member representing county commissions;

15 (G) Two members representing parents of students currently enrolled in the state public
16 school system;

17 (H) One member representing charter schools of the state; and

18 (I) One member representing the school building authority.

19 (b) The commission is directed to investigate all available options for public school funding,
20 and to make specific recommendations on how to revise the school aid formula or recommend

21 another approach to fund our schools. The commission shall evaluate all options on altering or
22 reallocation of funding sources to preserve our public education system to assure that all West
23 Virginia children receive a quality free education.

24 (c) The state board of education shall provide support staff and facilities to the commission.
25 The commission may call upon other officers, departments and agencies of state government to
26 assist in its investigation. Upon the request of the commission, the Attorney General of the state
27 shall render legal assistance if requested. Members of the commission's expenses will be
28 reimbursed by following the expense reimbursement guidelines for members of the Legislature.

29 (d) The commission shall provide regular updates to the Legislature, through the Joint
30 Committee on Government and Finance, and shall complete this study and its recommendations
31 by July 1, 2028. The report shall include, at a minimum, recommendations for any necessary
32 legislation, or any other actions necessary to implement the commission's recommendations.

NOTE: The purpose of this bill is to establish a School Aid Formula Study Commission to make recommendations to the Legislature regarding what can be done to modernize the current school funding system.

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