

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5669

By Delegates Fluharty and Hornbuckle

[Introduced February 17, 2026; referred to the
Committee on Education then the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
 2 designated §49-2-802b, relating to education placements during child abuse and neglect
 3 investigations; providing temporary restriction on provision of home educational instruction
 4 in specified circumstances; setting forth duration of temporary restriction; and requiring
 5 notice to Department of Human Services to provide notice of a pending child abuse.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-802b. Educational placement protections during abuse or neglect investigations; to be known as Raylee's Law.

1 (a) Purpose. The purpose of this section is to ensure the continued visibility, safety, and
 2 welfare of children who are the subject of a pending child abuse or neglect investigation by the
 3 Department of Human Services.

4 (b) Temporary restriction. When a child is the subject of a pending investigation of abuse
 5 or neglect pursuant to this article, and the alleged perpetrator is a custodial parent, guardian, or
 6 other person responsible for the child's care:

7 (1) The alleged perpetrator may not initiate withdrawal of the child from a public school,
 8 public charter school, or private school for the purpose of providing home instruction; and

9 (2) The alleged perpetrator may not assume or resume responsibility as the primary
 10 provider of home instruction for the child.

11 (c) Duration. The restriction set forth in subsection (b) of this section shall apply only during
 12 the pendency of the investigation and shall terminate upon:

13 (1) A written determination by the Department of Human Services that the investigation is
 14 unfounded or closed without substantiation; or

15 (2) An order of a circuit court or family court directing otherwise.

16 (d) Notice. Upon the initiation of an investigation that is initiated by this section, the
 17 Department shall provide written notice to the child's school and custodial parent or guardian of

18 the temporary restriction.

NOTE: The purpose of this bill is to establish Raylee's law which temporarily prohibits authorization of home instruction if there is a pending child abuse or neglect investigation against a custodial parent of guardian.

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