

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

### **Committee Substitute**

**for**

### **House Bill 5669**

By Delegates Fluharty and Hornbuckle

[Reported March 2, 2026, from the Committee on  
Education]

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 restrictions on provision of home educational instruction in  
4 specified circumstances; requiring the county superintendent to develop a policy in  
5 conjunction with state board; and setting forth other duties of the county superintendent.

*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) A county board may not authorize a currently enrolled public school student to be  
5 instructed in the home if there is a pending child abuse or neglect investigation pursuant to §49-2-  
6 801 et seq. of this code, against a custodial parent or guardian with whom the child resides, or a  
7 person instructing the child, that is initiated by a schoolteacher or other school personnel within the  
8 child's school district pursuant to the mandatory reporting requirements of §49-2-803 of this code.

9 (c)The county superintendent shall develop and institute a policy in conjunction with state  
10 board of education rule to ensure the county superintendent is contacted when a report of  
11 suspected child abuse or neglect is made by a schoolteacher or other school personnel pursuant  
12 to the provisions of §49-2-803 of this code. Upon determination by the county superintendent that  
13 an investigation has been initiated, the superintendent shall request confirmation of case status  
14 from the Department of Human Services, which shall provide confirmation within 48 hours of  
15 receipt of the request. Unless another eligibility requirement prevents approval, if the complaint is  
16 not substantiated within 7 days of initiation, the superintendent shall permit home instruction.