

WEST VIRGINIA LEGISLATURE

**FISCAL
NOTE**

2026 REGULAR SESSION

Introduced

Senate Bill 124

By Senator Woelfel

[Introduced January 14, 2026; referred
to the Committee on Education; and then to the
Committee on Finance]

1 A BILL to amend and reenact §18-2-41 of the Code of West Virginia, 1931, as amended, relating to
2 requiring in grades three through six at least annual age-appropriate instruction in child
3 sexual abuse prevention; requiring in grades three through six at least annual instruction in
4 personal safety and assault prevention; providing exception; requiring annual notice to
5 parent or guardian at least one week prior to personal safety and assault prevention
6 instruction; requiring in grades seven through 12 at least annual age-appropriate
7 instruction in dating violence prevention and sexual violence prevention; and making
8 requirements of section voluntary for public charter schools and nonpublic schools.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-41. Education and Prevention of the Sexual Abuse of Children.

1 (a) Education of children in grades K-12 — Beginning July 1, 2019, children in grades K-12
2 shall receive body age-appropriate safety information at least once per academic school year, with
3 a preference for four times per academic year. To facilitate this process and develop resources,
4 the state board shall ~~propose a legislative rule for promulgation, in accordance with~~ promulgate a
5 legislative rule pursuant to §29A-3b-1 et seq. of this code, by December 31, 2018 July 1, 2026.

6 The rule shall provide for at least the following:

7 (1) Developmentally appropriate education and resources including, but not limited to:

8 (A) In grades three through six, at least annual age-appropriate instruction in child sexual
9 abuse prevention, including information on available counseling and resources for children who
10 are sexually abused;

11 (B) In grades three through six, at least annual instruction in personal safety and assault
12 prevention, except that upon written request of the student's parent or guardian, a student shall be
13 excused from taking instruction in personal safety and assault prevention. The school shall
14 provide annual notice to each student's parent or guardian at least one week prior to any
15 instruction provided pursuant to this paragraph; and

(C) In grades seven through 12, at least annual age-appropriate instruction in dating violence prevention and sexual violence prevention, which shall include instruction in recognizing dating violence warning signs and characteristics of healthy relationships;

(2) Social media usage and content;

(3) Implementation of best practices;

(4) Differing county and school sizes, demographics, etc. relating to implementation strategies;

(5) Strategies for dealing with disclosures after student education;

(6) Rules informed by family voice;

(7) Offender dynamics;

(8) Child-on-child scenarios;

(9) Rules on development of supplementary materials, including posting of the child abuse hotline, to embed into the school climate;

(10) Protocols for local crisis response in conjunction with §18-9F-9 of this code.

(b) Training of public school employees upon their employment and then again every three years. The state board shall ~~propose by December 31, 2018~~ promulgate a legislative rule for ~~promulgation in accordance with~~ pursuant to §29A-3b-1 *et seq.* of this code, ~~and if necessary may promulgate an emergency rule in accordance with said article,~~ for the establishment of standards for training requirements of all public school employees focused on developing skills, knowledge, and capabilities related to preventing child sexual abuse and recognizing and responding to suspected abuse and neglect. The rule shall provide for at least the following:

(1) This required training shall include comprehensive instruction and information to better equip schools and their employees, including how to:

(A) Recognize sexually offending behaviors in adults, questionable behaviors such as boundary violations, and signs in adults that might indicate they pose a sexual risk to children;

(B) Recognize, appropriately respond to, and prevent sexually inappropriate, coercive, or

42 abusive behaviors among children and youth served by schools;

43 (C) Recognize behaviors and verbal cues that might indicate a child or youth has been a
44 victim of abuse or neglect;

45 (D) Support the healthy development of children and youth and the building of protective
46 factors to mitigate against their sexual victimization by adults or peers;

47 (E) Recognize and appropriately respond to student infatuations and flirtations with adults
48 in schools;

49 (F) Recognize appropriate and inappropriate social media usage by adults and children;

50 (G) Provide consistent and standard protocols for responding to disclosures of sexual
51 abuse or reports of boundary-violating behaviors by adults or children in a supportive and
52 appropriate manner which meet mandated reporting requirements;

53 (H) Provide adequate understanding of the age-appropriate, comprehensive, evidence-
54 informed child sexual abuse prevention education which will be offered to their students; and

55 (I) Reflect the research on Adverse Childhood Experiences (ACEs) and trauma-informed
56 care.

57 (2) The rule shall contain provisions to ensure public school employees complete the
58 required training every three years.

59 (A) The required training shall be at least a cumulative four hours (half day) of instruction
60 on the elements identified in this section.

61 (B) A skills renewal is required every three years thereafter.

62 (C) The mode of delivery for the trainings may include in-person or e-learning instruction
63 and may include a series of trainings or modules.

64 (D) The state board shall provide certificates of satisfactory completion for the employee
65 and the employer documenting the employee completed the required training.

66 (c) Notwithstanding any other provision of law to the contrary, the requirements of this

67 section are voluntary for public charter schools and nonpublic schools.

NOTE: The purpose of this bill is to authorize a child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention.

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