

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 219**

By Senator Hart

[Introduced January 14, 2025; referred  
to the Committee on Education; and then to the  
Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §18-5-13e, relating to schools; creating a moratorium on school closings and  
3 consolidation; providing legislative findings; providing a purpose; establishing the Board of  
4 Education to take certain actions; requiring the Board of Education provide a report; and  
5 providing a time frame.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 5. COUNTY BOARD OF EDUCATION.**

### **§18-5-13e. School closing and consolidation moratorium.**

1 (a) The Legislature finds that the demographic, social, and cultural diversity of our  
2 communities requires a flexible approach to public school planning and funding, and the culture  
3 and social dynamics of schools located near affluent neighborhoods may differ substantially from  
4 schools located in economically challenged communities with lower incomes.

5 The Legislature further finds that existing data are insufficient to inform statewide policy  
6 regarding the effect of consolidation on educational outcomes and overall student development  
7 and that additional data and studies are necessary to inform the decision process regarding  
8 consolidation across West Virginia.

9 (b) The purpose of this section is to establish a moratorium on public school closings and  
10 consolidations in West Virginia for a period of no less than five years beginning on July 1, 2026.

11 (c) The West Virginia Department of Education shall designate sufficient emergency funds  
12 within budget to ensure the continual operation of all existing schools, available upon application  
13 by the Local School Improvement Council (LSIC) of each public school and grant such waivers as  
14 necessary to existing policies and laws during this period to fulfill the objectives of this section  
15 upon request of the LSIC of each school.

16 (d) While the moratorium is in effect, the Board of Education shall ensure that the following  
17 actions are taken:

18           (1) The Board of Education shall commission a statewide inventory on proximity of home  
19 to school and travel distance per school and compile statistics from the individual level to the  
20 school and district level;

21           (2) The Department of Education shall facilitate implementation of an identity-secure Likert  
22 style rating system for parent and student public charter and non-charter schools including the  
23 following domains: school safety, climate, responsiveness to concerns, academic support, athletic  
24 opportunities. Results of such rating shall be published annually in the aggregate for each public  
25 charter and non-charter school and district. No personally identifying information shall be made  
26 public;

27           (3) Validation of school assessment data to control for certain variables:

28           (i) Chronically absent (over 20% of instructional days absent) student scores excluded;

29           (ii) Students observed to mark arbitrary answers without authentic effort excluded; and

30           (iii) Scores from schools experiencing weather-related disruptions need to be classified in  
31 reporting by days closed, days on delay, days on NTI or remote, and reported separately on the  
32 Smarter Balanced Scorecard;

33           (4) The Board of Education shall commission independent statewide study of effects of  
34 school size/travel time/proximity to home on student mental/emotional well-being utilizing a mixed  
35 methods research design;

36           (5) The Board of Education shall commission independent statewide study of effects of  
37 school size/travel time/proximity to home time on individual academic performance utilizing a  
38 mixed-methods research design;

39           (6) The Board of Education shall collaborate with appropriate state agencies to identify and  
40 survey new residents for preferences regarding school proximity and school size;

41           (7) The Board of Education shall collaborate with appropriate state agencies to identify and  
42 survey residents continuously living in West Virginia for 10 years or more for preferences  
43 regarding school proximity and school size; and

44           (8) The Board of Education shall commission independent statewide study on effect of  
45 school size on need for increased remediation, instructional support programs, wrap-around  
46 services, and fiscal consequences for districts following consolidation.

47           (e) At the conclusion of the five-year period, the Board of Education shall provide a report  
48 to the Joint Committee on Government and Finance on its findings, conclusions, and  
49 recommendations, together with drafts of any legislation necessary to effectuate its  
50 recommendation.

51           (f) If the actions specified above are not completed at the conclusion of the five-year  
52 period, the moratorium shall continue indefinitely until such time as all actions have been  
53 completed.

NOTE: The purpose of this bill is to create a moratorium on school closings and consolidation; provide legislative findings; provide a purpose; establish the Board of Education take certain actions; require the Board of Education provide a report; and provide a timeframe.

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