

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 409

**FISCAL
NOTE**

By Senator Rucker

[Introduced January 15, 2026; 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 article,
2 designated §18-2L-1, §18-2L-2, §18-2L-3, §18-2L-4, §18-2L-5, §18-2L-6, and §18-2L-7,
3 relating to course-specific teaching; providing a short title; providing definitions;
4 establishing course-specific permits; clarifying eligibility criteria; clarifying the role of local
5 education agencies; identifying a list of qualifying courses; and providing a funding
6 guarantee.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2L. HIGH SCHOOL EDUCATOR FLEXIBILITY ACT OF 2026.

§18-2L-1. Short title.

1 (a) This article may be cited as "The High School Educator Flexibility Act."

§18-2L-2. Definitions.

1 For the purposes of this article:

2 "Approved professional learning" means a professional learning experience facilitated by
3 an approved provider that satisfies all the following conditions:

4 (1) The professional learning consists of no fewer than 30 clock hours of course-specific
5 content and pedagogy instruction offered in one training or in sequenced modules completed
6 within a single year;

7 (2) Professional learning sessions are anchored to the provider's course framework;

8 (3) Professional learning sessions are facilitated by an individual the provider has formally
9 vetted and then endorsed after completing the provider's own faculty-development program and
10 maintaining currency with the latest framework version; and

11 (4) At the conclusion of professional learning, participants receive a dated certificate
12 verifying the course title, hours earned, and the approved provider's name; districts shall accept
13 that certificate as proof of compliance.

14 "Approved provider" means a U.S.-based, non-profit educational organization that
15 publishes the curriculum framework for each high-quality course and requires each school offering

16 the course to secure course authorization.

17 "High-quality course" means a high school course that satisfies all the following criteria:

18 (1) The course is designed and maintained in partnership with accredited postsecondary
institutions or industry representatives;

20 (2) The course leads to articulated post-secondary credit or an employer-endorsed
credential; and

22 (3) The course includes an externally validated, nationally administered end-of-course
exam.

§18-2L-3 Establishment of course-specific teaching permit.

1 (a) The Board of Education or West Virginia Commission for Professional Teaching
Standards shall establish a course-specific teaching permit for certified educators who hold valid
professional educator certificates but do not possess endorsements for specific subject areas.

4 (b) The course-specific permit shall authorize eligible educators to teach high-quality
courses outside their formally endorsed certification area. These high-quality courses can be in
academic and/or career and technical education areas.

7 (c) The permanent course permit shall be issued upon completion of approved
professional learning directly linked to the specific high-quality course content.

9 (d) The course-specific permit shall enable immediate classroom instruction upon
successful completion of the approved professional learning.

§18-2L-4. Eligibility criteria.

1 Educators eligible for the course-specific permit shall:

2 (1) Possess a current, valid professional educator certificate issued by the Board of
Education or West Virginia Commission for Professional Teaching Standards; and
4 (2) Successfully complete approved professional learning from an approved provider
aligned to high-quality course-specific content.

§18-2L-5. Role of local education agencies.

1 Local education agencies shall have the authority and flexibility to assign teachers holding
2 course-specific permits to classrooms requiring such specialized instructional capacity.

§18-2L-6. List of qualifying courses and training.

1 The Board of Education shall maintain, and update on an annual basis, a list of:
2 (1) Approved high-quality courses eligible for staffing through course-specific permits;
3 (2) Approved providers who facilitate approved professional learning experiences; and
4 (3) Approved professional learning experiences.

§18-2L-7. Career-technical education funding guarantee.

1 (a) Notwithstanding any other provision of law, an instructor who holds a valid course-
2 specific permit shall be deemed an "appropriately licensed or certified career-technical instructor"
3 for purposes of:

4 (1) Program approval and renewal under §18A-3-1 of this code, and
5 (2) The calculation and distribution of career-technical education weighted funding under
6 §18-9A-1 *et seq.* of this code.

7 (b) The Board of Education or Office of Certification shall:

8 (1) Publish licensure-guideline language recognizing the course-specific permit as proper
9 certification for the corresponding career-technical education program area; and
10 (2) Implement an automated data-system override that clears any licensure error codes
11 generated solely because the instructor holds a course-specific permit rather than a standard
12 career-technical education license.

13 (c) Districts and career-technical planning districts shall not experience any reduction,
14 withholding, or restricting of career-technical education weighted funding for a course taught by a
15 properly permitted instructor.

NOTE: The purpose of this bill is to provide rural communities educational courses that parents and employers value most.

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