

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 579

FISCAL
NOTE

By Senator Rucker

[Introduced January 22, 2026; referred
to the Committee on Education; and then to the
Committee on Finance]

1 A BILL to amend and reenact §18-9B-7 the Code of West Virginia, 1931, as amended; and to
 2 amend the code by adding a new section, designated §18-5-31, relating to improving
 3 school district efficiency; allowing a county board to exempt itself and all noncharter public
 4 schools under its jurisdiction from all statutes and rules as provided for public charter
 5 schools; requiring any county board making such an election to engage an external auditor
 6 to perform an independent audit of the county’s finances once every three years; and
 7 limiting the county board’s annual cost for the salaries of administrators to not more than
 8 six percent of the overall total annual budget of the county.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-31. County board exemption from statutes and rules.

1 Notwithstanding any other provision of code to the contrary, any county board,
 2 commencing with the school year beginning July 1, 2027 and every school year thereafter, may
 3 elect to exempt itself and all noncharter public schools under its jurisdiction from all statutes and
 4 rules as provided for public charter schools pursuant to §18-5G-3(c) not including the statutes and
 5 rules specified in the subdivisions under that subsection: *Provided, That any county board electing*
 6 to exempt itself and all noncharter public schools under its jurisdiction pursuant to this section shall
 7 engage an external auditor to perform an independent audit of the county’s finances once every
 8 three years and shall submit the audit to the state superintendent within nine months of the end of
 9 the fiscal year for which the audit is performed.

ARTICLE 9B. STATE BOARD OF SCHOOL FINANCE.

§18-9B-7. Determination by the state superintendent before final approval of budget; length of term.

1 (a) The state superintendent, before giving his or her final approval to a proposed budget,
 2 shall require that:

- 3 (1) Estimates of revenue and receipts are reasonable and accurate;
- 4 (2) Amounts are budgeted so as to cover actual requirements of school operation;
- 5 (3) The county board's annual cost for the salaries of administrators does not exceed six
- 6 percent of the overall total annual budget of the county; and
- 7 ~~(3)~~ (4) Amounts are budgeted so as to maintain the schools of the county for the
- 8 employment term and the instructional term as provided by §18-5-45 of this code.
- 9 (b) For the purposes of this section, "administrators" include the county superintendent;
- 10 deputy, associate, or assistant superintendents; administrative assistants; attorneys; directors or
- 11 managers of instruction; directors or managers of supportive services; chief school business
- 12 officials; child nutrition directors; adult program coordinators; principals; assistant principals;
- 13 directors and coordinators of services; accounts payable supervisors; payroll supervisors;
- 14 supervisors of maintenance; supervisors of transportation; school bus supervisors; food services
- 15 supervisors; or any other person performing administrative duties similar to the foregoing persons.

NOTE: The purpose of this bill is to allow a county board to exempt itself and all noncharter public schools under its jurisdiction from all statutes and rules as provided for public charter schools; require any county board making such an election to engage an external auditor to perform an independent audit of the county's finances once every three years; and limit the county board's annual cost for the salaries of administrators to not more than six percent of the overall total annual budget of the county.

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