

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4572

By Delegates Dittman, Moore, Drennan, Foggin, Hott,

Toney, Pritt, Shamblin, Ellington, and Kyle

[Introduced January 20, 2026; referred to the

Committee on Education]

A BILL to amend the Code of West Virginia, 1931, by adding a new section, designated §18-5-55, relating to the creation of the Rural School Flexibility & Innovation Pilot Act.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-55. Rural School Flexibility & Innovation Pilot Act.

(a) Legislative findings. —

(1) Small rural schools in the state face closure due to low enrollment, rigid staffing rules, and limited budget flexibility.

(2) Charter schools in this state can operate with staffing, class-size, and calendar flexibility, but traditional public schools cannot.

(3) Consolidation often increases student travel time, disrupts communities, and weakens local economies.

(b) Enactment. — A county board may request that an existing public school be designated as a Rural Innovation School if it meets one of these conditions:

(1) Proposed for closure within the past three years;

(2) Enrollment below state thresholds;

(3) Geographically isolated where busing is unreasonable or unsafe;

(c) Benefits of program. The following benefits are available for schools in this state who enroll in the pilot program.

(1) Flexibilities will be granted, to be classified in the same manner as public charter schools in this state;

(2) Class-size rule waivers are available;

(3) Personnel flexibility is available in the following ways:

(A) Certification flexibility;

(B) Exemption from seniority rules; and

(C) Local discretion in hiring/assigning staff;

- 22 (4) Calendar/scheduling flexibility shall be available;
23 (5) Budget repurposing authority shall be available; and
24 (6) Curricular flexibility, wherein these schools remain governed by the county board, not a
25 separate board.
- 26 (d) Accountability. – A Performance agreement shall be established with the West Virginia
27 Public Charter School Board.
- 28 (1) This shall be completed on a three-year review cycle; and
29 (2) A reversion option shall be available if the county chooses.
- 30 (e) Retroactive opportunity. – Schools closed or consolidated within the past two years
31 may apply to be reopened under this pilot program if facilities are safe and the county can
32 demonstrate viability.

NOTE: The purpose of this bill is to create the Rural School Flexibility & Innovation Pilot Act.

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