

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4937

By Delegates Pritt, Crouse, and Bell

[Introduced January 29, 2026; referred to the

Committee on Education]

1 A BILL to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended, relating to
2 establishing a mandated monthly half day for students to allow for school staff planning
3 time.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-45. School calendar.

1 (a) As used in this section:

2 (1) "Instructional day" means a day within the instructional term which meets the following
3 criteria:

4 (A) Instruction is offered to students for at least the minimum number of minutes as follows:

5 (i) For early childhood programs as provided in ~~subsection (d) section forty-four of this~~
6 ~~article~~ §18-5-44(d);

7 (ii) For schools with grade levels kindergarten through and including grade five, 315
8 minutes of instructional time per day;

9 (iii) For schools with grade levels six through and including grade eight, 330 minutes of
10 instructional time per day; and

11 (iv) For schools with grade levels nine through and including grade 12, 345 minutes of
12 instructional time per day.

13 (B) Instructional time is used for instruction and cocurricular activities; and

14 (C) Other criteria as the state board determines appropriate.

15 (2) "Cocurricular activities" are activities that are closely related to identifiable academic
16 programs or areas of study that serve to complement academic curricula as further defined by the
17 state board; and

18 (3) "Instruction delivered through alternative methods" means a plan developed by a
19 county board and approved by the state board for teachers to assign and grade work to be
20 completed by students on days when schools are closed due to inclement weather or other

21 unforeseen circumstances.

22 (b) *Findings.* –

23 (1) The primary purpose of the school system is to provide instruction for students.

24 (2) The school calendar, as defined in this section, is designed to define the school term
25 both for employees and for instruction.

26 (3) The school calendar shall provide for 180 separate instructional days or an equivalent
27 amount of instructional time as provided in this section.

28 (c) The county board shall provide a school term for its schools that contains the following:

29 (1) An employment term that excludes Saturdays and Sundays and consists of at least 200
30 days, which need not be successive. The beginning and closing dates of the employment term
31 may not exceed 48 weeks;

32 (2) Within the employment term, an instructional term for students of no less than 180
33 separate instructional days, which includes an inclement weather and emergencies plan designed
34 to guarantee an instructional term for students of no less than 180 separate instructional days,
35 subject to the following:

36 (A) A county board may increase the length of the instructional day as defined in this
37 section by at least 30 minutes per day to ensure that it achieves at least an amount of instructional
38 time equivalent to 180 separate instructional days within its school calendar and:

39 (i) Apply up to five days of this equivalent time to cancel days lost due to necessary school
40 closures;

41 (ii) Plan within its school calendar and not subject to cancellation and rescheduling as
42 instructional days up to an additional five days or equivalent portions of days, without students
43 present, to be used as determined by the county board exclusively for activities by educators at the
44 school level designed to improve instruction; and

45 (iii) Apply any additional equivalent time to recover time lost due to late arrivals and early
46 dismissals;

47 (B) Subject to approval of its plan by the state board, a county board may deliver instruction
48 through alternative methods on up to five days when schools are closed due to inclement weather
49 or other unforeseen circumstances and these days are instructional days notwithstanding the
50 closure of schools; and

51 (C) The use of equivalent time gained by lengthening the school day to cancel days lost,
52 and the delivery of instruction through alternative methods, both as defined in this section, shall be
53 considered instructional days for the purpose of meeting the 180 separate day requirement and as
54 employment days for the purpose of meeting the 200-day employment term.

55 (3) Within the employment term, noninstructional days shall total 20 and shall be
56 comprised of the following:

57 (A) Seven paid holidays;

58 (B) Election day as specified in §18A-5-2 of this code;

59 (C) Six days to be designated by the county board to be used by the employees outside the
60 school environment, with at least four outside the school environment days scheduled to occur
61 after the ~~one hundred and thirtieth~~ 130th instructional day of the school calendar; (D) One day to be
62 designated by the county board to be used by the employees for preparation for opening school
63 and one day to be designated by the county board to be used by the employees for preparation for
64 closing school: *Provided*, That the school preparation days may be used for the purposes set forth
65 in paragraph (E) of this subdivision at the teacher's discretion; and

66 (E) The remaining days to be designated by the county board for purposes to include, but
67 not be limited to:

68 (i) Curriculum development;

69 (ii) Professional development

70 (iii) Teacher-pupil-parent conf

71 (iv) Professional meetings;

72 (v) Making up days when instruction was scheduled but not conducted; and

73 (vi) At least six two-hour blocks of time for faculty senate meetings with at least one two-
74 hour block of time scheduled in the first month of the employment term, at least one two-hour block
75 of time scheduled in the last month of the employment term and at least one two-hour block of time
76 scheduled in each of the months of October, December, February and April; and

77 (4) Scheduled out-of-calendar days that are to be used for instructional days in the event
78 school is canceled for any reason.

79 (d) A county board of education shall develop a policy that requires additional minutes of
80 instruction in the school day or additional days of instruction to recover time lost due to late arrivals
81 and early dismissals.

82 (e) If it is not possible to complete one hundred eighty separate instructional days with the
83 current school calendar and the additional five days of instructional time gained by increasing the
84 length of the instructional day as provided in subsection (c) of this section are insufficient to offset
85 the loss of separate instructional days, the county board shall schedule instruction on any
86 available noninstructional day, regardless of the purpose for which the day originally was
87 scheduled, or an out-of-calendar day and the day will be used for instruction of students: *Provided,*
88 That the provisions of this subsection do not apply to:

89 (1) Holidays

90 (2) Election day:

91 (3) Saturdays and Sundays; and

92 (4) The five days or equivalent portions of days planned within the school calendar
93 exclusively for activities by educators at the school level to improve instruction that are gained by
94 increasing the length of the instructional day as provided in subsection (c) of this section.

95 (f) The instructional term shall commence and terminate on a date selected by the county
96 board

97 (g) The state board may not schedule the primary statewide assessment program more
98 than thirty 30 days prior to the end of the instructional year unless the state board determines that

99 the nature of the test mandates an earlier testing date.

100 (h) The following applies to cocurricular activities:

101 (1) The state board shall determine what activities may be considered cocurricular;

102 (2) The state board shall determine the amount of instructional time that may be consumed
103 by cocurricular activities; and

104 (3) Other requirements or restrictions the state board may provide in the rule required to be
105 promulgated by this section.

106 (i) Extracurricular activities may not be used for instructional time.

107 (j) Noninstructional interruptions to the instructional day shall be minimized to allow the
108 classroom teacher to teach.

109 (k) Prior to implementing the school calendar, the county board shall secure approval of its
110 proposed calendar from the state board or, if so designated by the state board, from the state
111 superintendent.

112 (l) In formulation of a school's calendar, a county school board shall hold at least two public
113 meetings that allow parents, teachers, teacher organizations, businesses and other interested
114 parties within the county to discuss the school calendar. The public notice of the date, time and
115 place of the public hearing must be published in a local newspaper of general circulation in the
116 area as a Class II legal advertisement, in accordance with the provisions of ~~article three, chapter~~
117 ~~fifty-nine~~ §59-3-1 et seq. of this code.

118 (m) The county board may contract with all or part of the personnel for a longer term of
119 employment.

120 (n) The minimum instructional term may be decreased by order of the state superintendent
121 in any county declared a federal disaster area and in any county subject to an emergency or
122 disaster declaration by the Governor when the event causing the declaration is substantially
123 related to the loss of instructional days in the county.

124 (o) Notwithstanding any provision of this code to the contrary, the state board may grant a

125 waiver to a county board for its noncompliance with provisions of ~~chapter eighteen, eighteen-a,~~
126 ~~eighteen-b and eighteen-c~~ §18-1-1 et seq., §18A-1-1 et seq., and §18B-1-1 et seq. of this code to
127 maintain compliance in reaching the mandatory ~~one hundred eighty~~ 180 separate instructional
128 days established in this section.

129 (p) There is established a mandatory half day to occur on one Friday every month during
130 the school year for students, for the purpose of staff to spend time doing instructional planning.
131 This time is strictly designated for in-class instructional planning and cannot be used by
132 administration or by the county board for any type of meeting or training. Only individual or team
133 teacher planning may occur during this half day time period.

134 (p) (q) The state board shall promulgate a rule in accordance with the provisions of ~~article~~
135 ~~three-b, chapter twenty-nine-a~~ §29A-3B-1 et seq. of this code for the purpose of implementing the
136 provisions of this section.

NOTE: The purpose of this bill is to establish a mandated monthly half day for students to allow for school staff planning time.

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