

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Committee Substitute

for

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for

House Bill 5412

(By request of the Executive)

[Originating in the Committee on Finance, March 3,

2026]

1 A BILL to amend and reenact §11-8-26, and §18-2E-12 of the Code of West Virginia, 1931, as
2 amended; and to amend the code by adding a new section, designated §18A-3-13, all
3 relating to facilitating the modernization of educational programs and technologies that can
4 prepare students for future workforce needs; authorizing multi-year contracts by local fiscal
5 bodies to procure educational materials with a technology licensing service component
6 where it would result in material fiscal savings; requiring maintaining documentation
7 regarding the fiscal savings from authorized multi-year contract; extending the Mountain
8 State Digital Project to grades 9-12 and extending the program to include educational
9 support and tutoring curriculum including in reading, mathematics, science, career-
10 technical education; authorizing the Department of Education to develop and provide to
11 kindergarten through fifth grade classroom teachers with training in the science of reading;
12 providing that beginning in 2026-2027 school year, each kindergarten through fifth grade
13 classroom teacher providing literacy instruction and intensive training in the science of
14 reading; establishing training parameters and time frames; and allowing public charter
15 school educators to voluntarily participate in the training.

Be it enacted by the Legislature of West Virginia:

CHAPTER 11. TAXATION.

ARTICLE **8.** **LEVIES.**
§11-8-26. Unlawful expenditures by local fiscal body.

1 (a) Except as provided in §11-8-14b, §11-8-25a, and §11-8-26a of this code, a local fiscal
2 body shall not expend money or incur obligations:

3 (1) In an unauthorized manner;

4 (2) For an unauthorized purpose;

5 (3) In excess of the amount allocated to the fund in the levy order; or

6 (4) In excess of the funds available for current expenses.

7 (b) As it pertains to subdivision (a)(4) of this section, local fiscal bodies shall not obligate
8 funds beyond a period of one year except that local fiscal bodies shall have the authority to enter
9 into multi-year contracts with a term extending up to five years only if:

10 (1) The contract is for the procurement of educational materials with a technology licensing
11 service component;

12 (2) The contract includes a cancellation clause allowing the local fiscal body to terminate
13 the contract at any time upon 30 days' notice to the vendor; and

14 (3) Local fiscal bodies must justify entering into multi-year contracts by maintaining
15 documentation of material fiscal savings to the body.

16 ~~(b)~~ (c) Notwithstanding the foregoing and any other provision of law to the contrary, a local
17 fiscal body or its duly authorized officials may not be penalized for a casual deficit which does not
18 exceed its approved levy estimate by more than three percent: *Provided*, That such casual deficit
19 is satisfied in the levy estimate for the succeeding fiscal year: *Provided, however*, That in
20 calculating a deficit for purposes of this section, account shall not be taken of any amount for which
21 the local fiscal body may be liable for the unfunded actuarial accrued liability of the West Virginia
22 Retiree Health Benefit Trust Fund or any amount allocated to the local fiscal body as an employer
23 annual required contribution that exceeds the minimum annual employer payment component of
24 the contribution, all as provided under §5-16D-1 et seq., ~~article sixteen-d, chapter five~~ of this code.

CHAPTER 18. EDUCATION.

ARTICLE 2E. HIGH QUALITY EDUCATIONAL PROGRAMS.

§18-2E-12. Mountain State Digital Literacy Project.

1 (a) Beginning for the school year 2020-2021, the state board shall implement a pilot
2 project, hereby designated the Mountain State Digital Literacy Project. The state board shall
3 determine the number of schools eligible to participate in the pilot project and may adjust that
4 number on a yearly basis. The state board shall select the schools to participate in the project, but

5 selected schools shall possess varying geographic and demographic characteristics and serve
6 students in grades ~~K-8~~ K-12.

7 (b) Subject to legislative appropriation for this purpose, schools participating in the project
8 shall be provided with instructional, educational support, and tutoring resources for students and
9 teachers that feature an extensive curriculum related to digital literacy, online assessment
10 preparation, reading, mathematics, science, career-technical education, and internet safety.
11 Administrators and teachers at the participating schools shall be provided access to online digital
12 literacy related professional development and support.

13 (c) The project shall be designed and implemented to compliment and build upon the
14 digital literacy standards and assessments established pursuant to §18-2-12, §18-2E-5(c)(16),
15 and §18-2E-5(d)(5) of this code.

16 (d) The state board may contract with a third-party to facilitate the project. Any such third-
17 party shall satisfy the following qualifications:

18 (1) Possesses demonstratable experience facilitating similar digital literacy initiatives with
19 public school systems;

20 (2) Provides extensive digital literacy content over the internet that may be adapted to age
21 or grade specific users and assessment tools, and integrates with widely used platforms; and

22 (3) Provides digital literacy-related professional development and support resources for
23 administrators and teachers.

24 (e) On or before January 1, ~~2020~~ 2027, the state board shall submit to the Governor and
25 the Legislative Oversight Committee on Education Accountability a report that provides
26 information on the development, structure, and fiscal estimate of the Mountain State Digital
27 Literacy Project.

28 (f) On or before January 1, ~~2025~~ 2028, the state board shall submit to the Governor and the
29 Legislative Oversight Committee on Education Accountability an evaluation of the pilot project's

30 impact on the performance and progress of students at the participating schools. The evaluation
31 shall include a recommendation for pilot project continuation, expansion or termination and, if
32 recommended for continuation or expansion, any recommendations for program modifications
33 and utilization of the successful participating schools as demonstration sites to facilitate program
34 expansion. _

CHAPTER 18A. SCHOOL PERSONNEL.

ARTICLE 3. TRAINING, CERTIFICATION, LICENSING, PROFESSIONAL DEVELOPMENT.

§18A-3-13. Endorsement in the Science of Reading for Elementary School Teachers.

1 (a) Beginning not later than the 2026-2027 school year, each kindergarten through fifth
2 grade classroom teacher providing literacy instruction shall be trained using high quality
3 professional learning that incorporates ongoing, intensive training in the science of reading that
4 includes classroom application activities and live sessions spanning multiple school years as
5 approved and provided through the West Virginia Department of Education.

6 (b) The instruction set forth in subsection (a) of this section shall be implemented as
7 follows:

8 (1) Currently employed classroom teachers shall enroll in the approved professional
9 learning no later than the 2027-2028 school year.

10 (2) Newly employed classroom teachers shall enroll in their first year of employment.

11 (3) Classroom teachers who have successfully completed the approved training shall
12 receive a certificate of completion of science of reading free of charge.

13 (c) The Department of Education may provide accommodations for those counties whose
14 classroom teachers are in the process of obtaining this endorsement.

15 (d) Public charter school teachers may choose to participate in the requirements set forth
16 in this section.

