

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.