

# WVEA

Standing Together for Public Schools

## WEST VIRGINIA EDUCATION ASSOCIATION

AN NEA AFFILIATE

# LEGISLATIVE UPDATE

Update #9 - March 12, 2019

## Bills that passed this session

This Legislative Session was dominated by the omnibus education bill and the pay raise bill. However, many other education-related bills worked their way through the Legislature this year. Not all of these bills have been signed by the governor yet, so there is still a chance that some of these could be vetoed. Check the WVEA website's 'Legislative Update' section for the latest status of the bills.

## Completed Legislation

- **SB 1** will pay the remainder of an in-state student's tuition at community and technical colleges after all other forms of financial aid have been exhausted. This version now allows students at four year public colleges and universities that offer associate degrees to be eligible to receive money.
- **SB 26** allows full-time employees of educational services cooperatives to participate in the State Teachers' Retirement System. It has been signed by the governor and goes into effect May 26, 2019.
- **SB 154** will allow school facilities to be used for funerals of military members, veterans and first responders. It was named the Specialist Nicholas Caleb Jividen Act to honor a soldier killed in November.
- **SB 267** requires the State Board to adopt a policy for a complete computer science curriculum and its implementation at the K-12 level. This bill makes WV the first in the country to require that students receive computer science education before graduating high school. The governor has signed the bill and it will go into effect May 12, 2019.
- **SB 238** will increase the penalties for illegally passing a stopped school bus and require forward and rear facing exterior cameras on all county school buses purchases after July 1, 2019. The new penalties are as follows: 1st offense: \$500-\$1,000 and not more than 6 months in jail. 2nd offense: \$1,000-\$1,500 and no more than 6 months, 3rd offense: \$2,000 and no less than 48 hours in jail but no more than 6 months.
- **SB 329** aims to make agricultural programs available to more high school students. This bill will allow county boards to request an agricultural program. If funding is an issue, the Department of Education can report that to the Legislative Oversight Commission on Education Accountability.
- After being placed on the inactive calendar for a short time, **SB 605** made a comeback. This bill will allow the SSAC to sanction schools for not following protocols surrounding concussions and head injuries. It will also allow licensed physical therapists and athletic trainers to give return to play clearance after a head injury.
- **SB 622** deals with campaign contribution limits. It will raise the individual contribution cap from \$1,000 to \$2,800 in both general and primary elections. Contributions to a state party executive committee or caucus committee would be raised to \$10,000. PAC contributions would be increased from \$1,000 to \$5,000. WVEA will ask the governor to veto the bill.
- **SB 624** will require the State Board of Education to allow county boards of education to use tests other than the

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SAT as their standardized test for 11th graders. The legislation lists the ACT, and no other tests, as an example of what the alternative could be.

- **SB 632** will require cameras be placed in all special education classrooms if funding is provided. The education department estimated the statewide cost at \$7 million, and delegates said \$3.5 million had been provided through the budget bill the House and Senate agreed to Friday. The bill would also create a “Safe Schools Fund” and add a finding of abuse by the DHHR or conviction of a crime that requires a person to register as a sex offender to be causes for revocation of a teaching certificate. At one point the part of the bill that allows parents to look at the video if there is an alleged incident was amended out. However, the Senate did not agree with that and it was put back into the bill. WVEA will ask Governor Justice to veto this bill.
- **SB 670** will allow taxpayers to invest in Smart529 college savings accounts to pay for tuition at private K-12 schools, including religious ones. 529 plans allow people to save money tax deferred, so they don’t have to pay taxes on that money at all as long as it’s used for qualified expenses, which under this bill would only be tuition for the private K-12 schools.
- **HB 2001** will eliminate the state’s personal income tax on Social Security benefits. Beginning January 1, 2020 you won’t pay taxes on 35% of your social security income, on January 1, 2021 you won’t pay taxes on 65% of that income and by January 1, 2022 the social security tax will be eliminated completely. This deduction will have a means test of \$50,000 for singles and \$100,000 for married couples.
- **HB 2004** will require the State Board to develop a program to help secondary students with workforce preparedness. The program will include preparing a resume, interviewing skills, workplace expectations and more. The bill also makes changes to the community and technical colleges consortium by having them focus on high-demand jobs and create programs of study in those fields.
- **HB 2009** will create a new “mastery-based” category of Innovation in Education schools. Mastery-based would be defined to include several “core principles,” including “student advancement upon mastery of a concept or skill” and “differentiated support based on a student’s individual learning needs.” Students in these schools essentially would progress to further classes based not on time, but on showing mastery in a lesson.
- **HB 2363** will broaden what is considered the Upper Kanawha Valley to the Charleston city limits to Gauley Bridge. It will also allow Kanawha and Fayette Counties to jointly create and maintain schools that serve the Upper Kanawha Valley.
- **HB 2378** will allow the state superintendent to revoke a teaching certificate if the person has been convicted of a criminal offense that requires them to register as a sex offender. The certificate can also be revoked if the teacher is convicted of a crime relating to the delivery or distribution of a controlled substance.
- **HB 2422** makes changes to how “Celebrate Freedom Week” is taught. Currently, the Bill of Rights and the Declaration of Independence must be taught during the week of September 11. This bill will add the Emancipation Proclamation and allow these things to be taught at anytime during the school year as selected by the county board.
- **HB 2541** aims to improve school safety by doing things such as providing updated floor maps to first responders each year, providing first aid and active shooter training to all school employees and students each year.
- **HB 2662** is the companion bill to 2378 and does all of the same things, just for service personnel.
- **HB 2665** is the Governor’s PEIA bill. This bill will add a new appropriation of public money in the amount of \$105 million for the PEIA Rainy Day Fund. The bill is effective from passage.

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- **HB 2853** requires the Library Commission to create the West Virginia Program for Open Education Resources. This will be a public domain for educators in both higher education and K-12 to upload teaching and learning materials of any medium.
- **HB 2854** will allow schools to be exempt from the state sales tax when raising money for the school. The fund raisers may not last more 14 consecutive days and held no more than 18 times during any 12-month period.
- **HB 3095** will raise the minimum monthly pensions for retired teachers, service personnel and state employees with 25 or more years of service from \$500 to \$750.
- **HB 3139** is the companion bill to 2665. This bill will create the PEIA Rainy Day Fund. It also creates the Rainy Day Fee that is paid by employers participating in PEIA to fund the Rainy Day Fund. The Senate Finance Committee amended the bill on 3/7 to remove the section that makes the employers pay into the fund. The House concurred with the Senate's amended version.

### Failed to pass

- **HB 2159** was the campus carry bill. The bill would have allowed anyone with a conceal carry permit to have a gun on a college campus. At one point, those against the bill managed to get the bill put on the inactive calendar in the House. However, that did not last long and eventually the bill passed the House with very little changes made. In the Senate, the bill was first sent to the Judiciary Committee. When it came up for a vote, the bill was voted down 9-7 and the bill died.
- **HB 3127** was the Tim Tebow bill. This bill would have allowed homeschooled students to participate in public school extracurricular activities. A motion to discharge the bill from committee meant it never went to the House Education Committee before being read on the floor. When the bill finally got to third reading on the House floor, it was voted down 52-46.