

# AFT-WV LEGISLATIVE UPDATE

FIGHTING FOR PUBLIC EDUCATION



FROM STATEHOUSE TO SCHOOLHOUSE

March 27, 2025

## Vaccine bill defeated on the House floor

In a huge win for public health, [SB 460](#) was defeated 56-42 on third reading on Monday. The bill was initially created to provide exemptions to mandatory vaccination requirements for our schools to accommodate religious conviction or moral reasons. It also revised the existing medical exemption process, eliminates the position of the State Immunization Officer, and permitted a civil action for violations of this section. The bill passed the Senate, and then moved to the House for consideration, where an improved amended version was passed by the Health and Human Resources committee, only to be amended to back to an even worse version on second reading on the House floor. After extensive lobbying efforts by AFT-WV, WVEA, the WV Chamber of Commerce and the Council of Churches / Catholic Diocese and tremendous member outreach to legislators by teachers, service personnel, members of the medical community and others, the bill was defeated on the floor.

## Keep asking your legislators: WHAT ABOUT PEIA?

We're heading into the last few weeks of the session, and yet the Governor still has not put forth his plan to address PEIA, despite mentioning it as a priority in his State of the State address. Additionally, neither chamber of the legislature has put forth a real effort to stabilize PEIA and make it a high-quality healthcare plan that is affordable for teachers and service personnel. However, all three have found time to introduce and pass legislation on culture war issues like gender and bathrooms. Have these elected leaders forgotten about PEIA and their constituents who depend on it?

Contact the Governor and members of the legislature and ask them to stop wasting time chasing culture war headlines and start passing legislation to stabilize the health care of over a hundred thousand hard-working West Virginia public employees.

[Click here to contact Governor Morrisey.](#) Remind the Governor he mentioned it in his State of the State address and ask him what his plan is and when he will release it.

[Click here for a contact list for all Senators and Delegates.](#) Ask members of the legislature to focus on PEIA, pay and other issues for the working people of WV, not divisive culture wars.

## Action Alert on HB 2087

[HB 2087](#) opens up access to online curriculum, and allows the general public to inspect additional instructional material adopted by the county board, including books in the classroom. The bill expands access beyond parent/guardians, which is existing law. AFT-WV believes this is problematic as it creates additional administrative burdens on educators' time and also opens the door to outside groups without children in the local schools to attack and disrupt school systems to advance a political agenda. The bill is still in the markup phase in the House Education Public Education Subcommittee. [Click here to take action on HB 2087!](#)

## One Student Behavior and Discipline Bill passes, awaits concurrence; Mental health bill pushed by AFT advances committee

Comm. Sub. for [SB 199](#) outlines specific actions taken for grades K-6 when a student exhibits violent, threatening, or disruptive behavior: immediate removal of the student, parental notification, potential suspension, evaluation and a possible alternative learning environment. First, the student would be subject to a behavior plan. If adequate progress is being made after two weeks then that plan would continue. If the student is not making progress, then the behavioral plan could be changed and followed for another two weeks. If another two weeks pass without adequate progress, then the student would be placed in a behavioral inter-



vention program or with a licensed behavioral health agency where the county has access. If the county has no behavioral intervention program, the student would be immediately removed from the classroom, parents would be notified to pick up the child, and the student would be suspended for one to three days while alternative accommodations are made. The student would not return to school until a risk assessment is done. After the risk assessment, the student could return to school provisionally for five to 10 days. If another incident occurs, the student would be placed in an alternative learning environment for the rest of the semester or school year. That alternative learning environment could, in some cases, be virtual school. Comm. Sub. for SB 199 passed the Senate and the House (amended). The Senate amended the amended House version and has sent back to the House to concur.

Another measure to address student behavior advanced from the House Education Committee this week. [HB 3507](#) establishes a mental health pilot program, which requires the counties participating (limited to 10) to have at least one qualified mental health professional (QMHP) in each public school in that county. The bill contains provisions to allow mental health services for students to be billed to Medicaid, lessening the fiscal impact of the bill in a difficult budget year. The bill is a result of weeks of work by AFT-WV, who collaborated with a mental health provider who experience implementing this type of program with great success in Virginia. The bill now moves to the House Finance Committee for consideration.

Comm. Sub for [HB 2515](#), relating to elementary behavior intervention and safety, passed the full House and moves to the Senate for consideration This bill is similar to one from last year that did not pass. It establishes clear discipline procedures, including a statewide discipline policy, provisions for removing violent students from the classroom and student support services to address the behaviors. The Committee Substitute version contains several amendments that improved the bill from its original version and gained bipartisan support. The bill has passed the House and is pending consideration by the Senate Education Committee.

## Pay Raise

Governor Morrissey mentioned the need for a pay raise in his State of the State address but without specifics. At press time, the Governor has not put forth his specific proposal for a pay increase, nor has either chamber of the legislature put forth a serious effort to address pay.

A pay increase continues to be one of AFT-WV's top priorities. There are several other pay raise bills that have been introduced but not been considered by a committee yet, including:

[HB 2476](#) provides a 25% pay increase for teachers. The bill was introduced and referred to the House Education Committee.

[HB 2519](#) provides a \$900 monthly increase (25%) to state school service personnel. The bill was introduced and referred to the House Education Committee.

One pay bill that advanced this week was SB 506.

[SB 506](#) provides for market pay enhancement for teacher salaries in certain circumstances. This bill is essentially permitting locality pay. The bill is on second reading on the Senate floor. This bill has a large fiscal note on it, so we would be surprised if it ultimately passes.

## Bills Passed by Both Chambers

[SB 283](#) expands grade levels of personal finance course requirements needed for graduation. The bill passed the Senate and the House and has completed the legislative process.

## Bills Passed From One Chamber

[HB 2624](#) permits students in eighth and ninth grade to attend summer school in order to raise their grades and establish academic eligibility to play sports in the fall. The bill passed the House and now moves to the Senate for consideration.

[SB 646](#) increases the number of non-traditional instructional days available to use from 5 to 10. The bill also states that scheduled out-of-calendar days may not be rescheduled as instructional days in the event school is canceled for any reason. The bill passed the Senate and now awaits consideration by the House.

[SB 37](#) allows Teachers Retirement System members (after July 1, 2015) to exchange unused leave for monetary compensation. Employees would be able to sell up to 10 days accrued personal leave back to the county board for 80% of the pay rate. This is a bill that did not pass last year, but AFT-WV supported. The bill passed the Senate now is pending consideration by the House Finance Committee.

[HB 2499](#) calls for creating an in-person training course for principals on IDEA in public schools; informing teachers of their state rights and protections related to such, and providing for an Individualized Education Program meeting format. The bill passed

the House and moves to the Senate for consideration.

[HB 3313](#) provides more opportunities for high school students in community colleges. The bill passed the House and moves to the Senate for consideration.

[SB 154](#) prohibits public schools from requiring students to participate in sexual orientation or gender identity instruction. This bill prohibits from teaching gender identity, giving false information to parents about a child transitioning and mandates reporting students if they come to teacher to talk about their gender identity. The bill allows parents to bring civil actions against the school. The bill advanced after lengthy discussion in the Senate Education Committee and was second referenced to the Senate Judiciary Committee, where it advanced to the floor as a second committee substitute version. AFT-WV has concerns about the bill as it relates to employee discipline and the grievance procedure. AFT-WV believes parts of this bill could diminish the grievance rights of educators. The bill passed the Senate and is pending consideration by the House Education Committee.

[HB 2411](#) provides and changes graduation requirements and duties relating to academic content standards. The bill passed the House and is laid over on second reading on the Senate floor.

[Comm. Sub. for HB 2164](#) allows for public and private schools in West Virginia to employ security personnel. Guidelines and certification standards will be created by the Division of Protective Services for these positions. There is no fiscal note; the bill would be permissive, not a mandate, and up to the counties to fund. The bill passed the House and is pending consideration by the Senate Education Committee.

[HB 2635](#) makes classroom sizes equal so that aides can be best utilized and one-on-one time with teachers and students can be maximized without losing the use of an aide. The bill would not allow the split to be inequitable, and specifies that grade level 1-3 classes of 12 or more students would get a classroom aide. This is a positive bill, and AFT-WV supports passage. It was passed by the House and moves to the Senate for consideration.

[SB 450](#) establishes the WV Guardian Program, which permits and creates rules for county boards to contract with former law enforcement officers to provide public safety and school security. The bill passed the Senate and moves to the House for consideration.

[SB 547](#) creates the Charter Schools Startup Fund for the purpose of providing financial support to charter school applicants and charter schools that may not otherwise have the resources for start-up costs. AFT-WV opposes the further defunding of the public school system, particularly at a time when many of our local schools are in need of facility improvements. The bill passed the Senate and now moves to the House for consideration.

[SB 548](#) creates the Safety and Violence Education for Students Act. The bill provides suicide and violence training and materials to help identify self harm, social isolation, violence or red flags for school shootings. This would help peers identify red flags. Some senators had some worries that there would not be enough time in the day to compete this requirement and it is an added requirement, but it was stated this would not take any time away from any core instruction. The bill passed the Senate and is pending consideration by the House Education Committee.

[SB 650](#) relates to the employment of interventionists by county school systems. The bill passed the Senate and is in the markup phase in the House Education Committee.

[HB 2003](#) directs county boards of education to develop a policy regarding cell phones that includes, whether or not the devices are allowed on school property, and if so, the storage protocol for the devices during instructional time. The bill passed the House and is pending consideration by the Senate Education Committee.

[Comm. Sub. for HB 2143](#) requires elementary school teachers to be certified in the science of reading, starting by the 27-28 school year. The bill specifies the endorsement to be required for K-5 public and public charter schools, and shall be free of charge to teachers. Counties will have to provide accommodations if there is any teacher who cannot be in the program. The bill passed the House and is pending consideration by the Senate Education Committee.

[SB 284](#) relates to county board of education member orientation and compensation. The bill passed the Senate and is pending consideration by the House Education Committee.

[SB 92](#) is the Glucagon for Schools Act and allows schools to keep glucagon on site and sets up procedures to assist with diabetes management of students. The bill passed the Senate and is pending consideration by the House Education Committee.

[SB 275](#) removes the requirement for school cooks or custodians to have a high school diploma or equivalent, if they are over 21 years of age. The bill is intended to help alleviate shortages in these classifications. The bill passed the Senate and is pending consideration by the House Education Committee.

[SB 282](#) modifies provisions for employment of retired teachers as substitutes in areas of critical need and shortage. The bill passed the Senate and is pending in the markup stage of the House Education Committee.

[HB 2774](#) is the Coach Protection Act, which modifies the criminal and administrative penalties for assault or battery on athletic officials. The bill passed the House and moves to the Senate for consideration.

Eng. [SB 280](#) calls for displaying official US motto in public schools when the materials are donated to the school. The bill passed the Senate and moves to the House for consideration.

## Bills Advanced From Committee

[HB 3387](#) would permit the creation of a regional school district pilot program. School systems in the pilot would have to be in financial distress, neighbor each other and, be under control of the state. In this scenario, county boards of education will not have much power over their districts. AFT-WV opposes this bill as it usurps the local control of county school systems and their elected boards of education. Despite some vocal opposition in the House Education Committee, the bill advanced to the House floor, where it is on second reading.

[HB 3209](#) provides at least one counselor for every 250 students in public schools and public charter schools in this state. The bill advanced from the House Education Committee and is on 1st reading on the House Special Calendar.

[Com. Sub. for HB 3452](#) transfers administration of Advanced Career Education (ACE) classes and programs from county boards of education to community and technical colleges. The bill was discussed in the House Education Committee and held over for a later meeting. Special thanks to the educators, including several AFT members from Ben Franklin Career Center in Kanawha County, who came to the committee meeting to share their concerns with the bill. The bill advanced from House Education and is on second reading on the House floor.

[Com. Sub. for HB 2355](#) permits middle or high school students to participate in travel sports teams without repercussion. The bill advanced from the House Education Committee and is on second reading the House floor.

[SB 434](#) promulgates rules for implementing the use of wearable panic alarms by school employees for the purpose initiating campus-wide lockdowns and of notifying law enforcement during emergencies. The bill passed Senate Education and advances to the Senate Finance Committee.

[HB 3508](#) modifies the school aid formula to provide more support for schools under certain circumstances. The bill advanced from the House Education Committee and now moves to House Finance for consideration.

[SB 516](#) provides extra state aid to school districts for students enrolled in extremely remote schools. The bill advanced from the Senate Education Committee and is pending consideration by the Senate Finance Committee.

[Com. Sub. for HB 2614](#) allows for a lump sum payment based on accrued leave to be paid to an employee's estate. Every full-time employee of a county board (at the time his or her active employment ends due to death) may be paid in a lump sum amount to the personal representative of the estate of the employee for accrued and unused personal leave at the employee's usual rate of pay, not to exceed \$6000. The bill advanced from House Education and moves to the House Finance Committee for consideration.

[SB 558](#) requires students take a computer science course prior to graduation. The bill advanced from Senate Education and is pending consideration by the Senate Finance.

[HB 3438](#) allows retired teachers in long-term substitute positions with specialties in math, sciences, English, and foreign languages to remain in the substitute teaching positions for the entire school year without interruption to their retirement pay in order to allow students to have a quality, uninterrupted education. The bill advanced from the House Education Committee and moves to the House Finance Committee for consideration.

[HB 2187](#) permits teachers in K-12 schools be authorized to carry concealed firearms as a designated school protection officer. AFT-WV maintains that the role of armed school protection officer is best left in the hands of trained law enforcement. The Guardian Bill, or similar legislation, that permits counties to employ former law enforcement as school protection officers would be a better option, especially if combined with Senator Amy Grady's SB 434, which would implement a wearable panic alert system for staff in public schools. This would offer schools the ability for both a rapid notification and response to emergencies. HB 2187 advanced from House Education and now awaits consideration by the House Judiciary Committee. Educators are encouraged to continue to contact members of the House to express your concerns on this bill. [Click here for AFT-WV's Action Alert on this bill.](#)

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[SB 37](#) allows Teachers Retirement System members (after July 1, 2015) to exchange unused leave for monetary compensation. Employees would be able to sell up to 10 days accrued personal leave back to the county board for 80% of the pay rate. This is a bill that did not pass last year, but AFT-WV supported. The bill is advanced from the Senate Education Committee and now is pending consideration by the Senate Finance Committee.

[SB 122](#) establishes minimum student enrollment for the school aid formula, and would help counties that have a net enrollment of under 1200 students. This bill will ease the financial hardship posed by small student enrollment and assist the counties in providing adequate student services. (This bill died last session.) The bill is pending consideration by the Senate Finance Committee.

[SB 158](#) modifies eligibility requirements for serving as member of State Board of Education to state Board members cannot become candidates or run for office or work in campaigns and political activities. The bill passed the Senate Education Committee and is pending consideration by the Senate Judiciary Committee.

[SB 558](#) requires students take a computer science course prior to graduation. The bill advanced from Senate Education and is pending consideration by the Senate Finance.

## Bills of Interest

[SB 146](#) provides for substantial deference to state school superintendent's interpretations of school laws. As it is currently written, the bill states that county boards of education, county superintendents, employees of the county boards of education, and the West Virginia Public Employees' Grievance Board shall give substantial deference to the State Superintendent's interpretation of school law or rules of the State Board of Education. AFT-WV views the bill as an attack on the grievance process for school employees and their ability to resolve employee-employer disputes in an impartial venue and opposes this bill. No action taken yet on this bill.

## Local AFT Officers: Legislative Update Zoom Meetings

AFT-WV will be continuing to conduct Legislative Updates via Zoom for our local officers this year. Local officers should be on the lookout for email and text invites each week.

## Stay Informed during the Legislative Session

**Take advantage of the many ways to stay informed from AFT-WV!**

- Visit the AFT-WV website at [www.aftwv.org](http://www.aftwv.org) and "Like" us at [Facebook.com/AFTWV](https://www.facebook.com/AFTWV). Also, follow your local chapter on social media, if applicable.
- Many AFT local presidents and staff representatives use the Remind app to communicate with their local members. Ask your local president or staff rep if your county uses Remind and get signed up!
- If you are a local AFT officer, watch for invites for Legislative Update Zoom meetings and participate.