

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

### **Introduced**

## **House Bill 5453**

By Delegates Ellington, Statler , Toney, Hornby, Willis,

Shamblin, Bell, Pritt, Campbell, Dean, and Hanshaw

(Mr. Speaker)

[Introduced; referred

to the Committee on]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §18-9A-27, relating to establishing a revised method of school aid funding;  
3 clarifying the base fund and establishing a supplemental fund; setting forth categories  
4 within the supplemental fund; providing for reporting; and providing for oversight.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE                      9A.                      PUBLIC                      SCHOOL                      SUPPORT.**

**§18-9A-27. Revised method of school aid funding; base fund; creation and implementation**  
**of supplemental school aid fund; additional supplemental funding; reporting;**  
**oversight.**

1 (a) Base funding. – Effective for the school year 2027/2028, all counties in this state shall  
2 be funded by a block grant in the amount of \$8,000 per enrolled student. For purposes of the base  
3 funding amount, counties that have less than 1,200 enrolled pupils per county shall be funded at  
4 the minimum level of 1,200 pupils in that county.

5 (b) Supplemental funding for special needs students. – Effective for the school year  
6 2027/2028, all counties in this state shall receive additional funding through a fund hereby created  
7 and known as the "Supplemental School Aid Fund." This fund shall be appropriated by the  
8 Legislature, based upon the number of Tier II and Tier III special needs students the county has.  
9 The funding shall be based on a per pupil allotment of \$8,000 per Tier II and Tier III special needs  
10 students. The primary purpose for this supplemental fund shall be for the benefit of Tier II and Tier  
11 III special needs students, but may additionally be utilized as otherwise set forth in subsection (c).

12 (c) Additional supplemental funding. – Effective for the school year 2027/2028, all counties  
13 in this state may request funding for special cases through the Supplemental School Aid Fund  
14 created in subsection (b), which may include but are not limited to the following extraordinary  
15 expenses related to:

16 (1) Transportation;

17 (2) Vocational and technical education centers;

18 (3) Alternative learning centers; and

19 (4) Pilot programs.

20 (d) Discretion. – The funds available through subsection (c) may be distributed as funds  
21 are available and through the discretion of the State Department of Education.

22 (e) Classification. – Counties shall provide a written request to the State Department of  
23 Education to explain what additional funding they require based upon the items listed in  
24 subsection (c) of this section. The State Department of Education may distribute the money based  
25 upon the needs demonstrated per county for the classifications set forth in subsection (c).

26 (f) Reporting. – The distribution of funds provided in this section shall be reviewed by the  
27 Legislative Oversight Commission on Education Accountability ("LOCEA") at least yearly. The  
28 State Department of Education shall prepare this report.

29 (g) Oversight. - The money provided and distributed through this section shall be utilized at  
30 the discretion of the county; however, the Legislature shall maintain oversight in the event of  
31 maladministration by a county and reserves the right to restrict funds to counties that engage in  
32 maladministration.

NOTE: The purpose of this bill is to establish a revised method of school aid funding.

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