WEST VIRGINIA CODE: §49-2-125A

§49-2-125a. Right to education for residential placement of foster children.

(a) When a foster child is in the process of residential placement, the foster child shall continue to receive his or her education through virtual learning while the foster child is awaiting placement with a foster family.

(b) Virtual learning shall be done through the county where the foster student was last enrolled, and if this is not possible, then the virtual learning shall occur in the county where the foster child currently resides while awaiting residential placement: *Provided*, That if neither county has the capability for virtual learning, then a public charter virtual school or the closest available county with virtual learning capability shall be the county used by the foster student.

(c) Virtual learning shall take place in accordance with the provisions of §18-5F-1 *et seq*. or §18-5G-1, *et seq*. of this code.

(d) The individual, group, or organization responsible for the foster child while the child is awaiting residential placement shall receive information technology ("IT") training from West Virginia Department of Education for purposes of ensuring the foster child shall receive virtual learning. This training shall include education in every step needed for the student to be able to log in and participate in the virtual courses the foster child is enrolled in. This training shall be at the expense of the West Virginia Department of Education.

(e) The virtual instruction for the child awaiting residential placement shall occur no more than three days after the child is in the temporary care of the individual, group, or organization.

(f) Once the foster child is placed with a foster family, the virtual learning information and educational enrollment information received from the child shall be provided to both the foster family and to the new county where the student is enrolled.

WV Legislature