WEST VIRGINIA CODE: §18-5-28

§18-5-28. Meetings among county boards of education to explore and discuss the feasibility of consolidating school districts or sharing certain services.

(a) When two or more county boards of education, in order to provide efficiencies and direct cost savings, elect, by majority vote, to explore and discuss with each other: (1) The idea of possibly consolidating their school districts into a new school district by act of the Legislature as provided by section six, article XII of the Constitution of West Virginia; or (2) possibly sharing administrative, coordinating or other county-level services and functions between or among them, the boards shall agree upon the call of a joint special meeting to be conducted wholly in public and in accordance with guidelines and topics of discussion specified in the call and in all public notices of the meeting. The topics shall include, but not be limited to, the extent to which existing laws appear to enable or complicate the consolidation of the school districts or the sharing of services and functions, as the case may be.

(b) The joint special meeting shall be facilitated by a party upon whom the participating boards agree. Within 21 days following the joint meeting, the facilitator shall prepare and deliver to the participating boards a detailed written report of the meeting's discussions and identifying any areas for further discussion or consideration by the boards. After reviewing the facilitator's report, each participating board shall determine by majority vote whether to accept it and whether the participating boards should meet again to discuss or consider the areas identified by the facilitator. Whether or not a board accepts the report, each participating board shall make the report available to the public.

(c) Upon majority vote by any participating board to accept the facilitator's report and to hold another joint special meeting of the participating boards to discuss or consider areas for further discussion or consideration identified in the facilitator's report, the participating boards shall attend another joint special meeting called for that purpose. The meeting shall be called, noticed, conducted, and facilitated as in the case of the initial joint special meeting. Topics of discussion shall include, but not be limited to, the extent to which existing laws appear to enable or complicate the consolidation of the school districts or the sharing of services and functions, as the case may be. Within 21 days following the joint meeting, the facilitator shall prepare and deliver to the participating boards a detailed written report of the meeting's discussions and identifying any areas for further discussion or consideration by the boards. After reviewing the facilitator's report, each participating board shall determine by majority vote whether to accept it and whether the participating boards should meet again to discuss or consider the areas identified by the facilitator. Whether or not a board accepts the report, each participating board shall make the report available to the public.

(d) The process set forth in subsection (c) of this section shall be repeated until 120 days have passed since the initial joint meeting or until the participating boards no longer wish to

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meet in joint session for those purposes, whichever first occurs. At that point the facilitator or other individual or committee designated by the participating boards shall promptly prepare and submit to the participating boards a full report of all meetings held under this section. The report shall identify the extent to which the participating boards think existing laws may enable or complicate the consolidation of the school districts or the sharing of services and functions, together with any suggestions of legislation to be considered by the Legislature. Upon approval by any of the participating boards by majority vote, the report shall be forwarded to the President of the Senate and the Speaker of the House of Delegates. If the Legislature elects to consolidate the participating county boards, it may consolidate the county boards as a pilot.

(e) Nothing in this section requires the consolidation of any school districts or that any of the participating boards share administrative, coordinating, or other county-level services and functions between or among them. Nor may this section be construed to rescind, without action by participating county boards, any existing agreements or arrangements for the sharing of such services and functions.

(f) The Legislature may incentivize county boards to explore and discuss the feasibility of consolidating school districts or sharing of services pursuant to this section.

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