

Rec., June 3

86

ENROLLED BILL

(EXTRAORDINARY SESSION, 1933)

Com. Sub. for
House Bill No. 86

(By ~~Mr.~~ Education Committee)

Passed June 3, 1933

In Effect 90 days from
Passage

Originated in the House Takes effect. Passage

Clerk House of Delegates.

CORRECTLY ENROLLED

Clerk.

James L. Smith
Chairman House Committee.

Chairman Senate Committee.

ENROLLED BILL

(Com. Sub. for H. B. No. 86)

90 days
[Passed June 3, 1933; in effect from passage.]

Ex. Off.
By Sec.
Clerk

AN ACT to amend and reenact sections two and thirteen, article two, sections one and two, article thirteen; section one, article fourteen; section one, article eighteen, and enact sections sixteen and seventeen, article two, all of chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, abolishing the advisory council to the state board of education and creating a negro board of education to act in conjunction with the state board of education in the control and supervision of negro schools.

Be it enacted by the Legislature of West Virginia:

That sections two and thirteen, article two; sections one and two, article thirteen, section one, article fourteen and section one, article eighteen, be amended and reenacted to read as follows:

Section 2. There shall be a negro board of education that 2 shall, in conjunction with the state board of education, formu-

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3 late and carry out the educational policies with respect to the
4 negro youth of the state. Such board shall consist of the state
5 supervisor of colored schools, two board members of the negro
6 race, together with the state superintendent of schools who shall
7 be ex officio member of said board. On or before the first day
8 of July, one thousand nine hundred thirty-three, the governor,
9 with the advice and consent of the senate, shall appoint two
10 members of the negro race to act as the members of the negro
11 board of education, one to serve for a term of four years, one
12 to serve for a term of two years. All appointments to this board
13 thereafter shall be for a term of four years. Said board member
14 shall take office the next following first day of July.

15 The state supervisor of negro schools shall be secretary of the
16 negro board of education. The two appointive members of such
17 board shall each be entitled to receive from the general school
18 fund upon warrants, drawn by the state superintendent of
19 schools, the same salary as paid each appointive member of the
20 state board of education, payable quarterly, and shall be re-
21 imbursed from said fund for any necessary expenses incident
22 to the performance of his duties, upon presentation of an
23 itemized sworn statement of same.

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Sec. 16. The state board of education and the said negro
2 board of education sitting as one body when considering the
3 affairs of negro schools shall have general control, management,
4 and supervision of West Virginia state college, Bluefield state
5 teachers' college, the West Virginia schools for the colored
6 deaf and blind and of any other state educational institution
7 for negroes which now is or may hereafter be created by law.
8 The negro board of education shall employ the president, or
9 principal and the professors, teachers, and other employees of
10 each of the institutions named in this section, subject to the ap-
11 proval of the state board of education, and the joint boards
12 shall fix the yearly or monthly salary to be paid to each person
13 so employed.

Sec. 17. On the first day of October of each year, or as soon
2 thereafter as practicable, the said joint boards of education,
3 through the state superintendent of schools, shall make to the
4 governor a full report concerning the state educational institu-
5 tions under their control and management, which shall show
6 the number of persons employed about each institution, the
7 official designation of each person, the amount and rate of com-
8 pensation paid to him, the amount disbursed by such institution

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9 out of any funds under its control, stating the purposes for
10 which expended, the amount expended for each purpose, and
11 the number of days actually engaged by the persons employed
12 about such institutions, including teachers and professors. Such
13 report shall also show the number of students actually attending
14 each of the institutions and the number of students enrolled in
15 each school or department. The said joint boards may make
16 recommendation respecting legislation needed to promote the
17 welfare of such institutions.

ARTICLE XIII.

Section 1. The institution for the instruction of colored stu-
2 dents heretofore established and located at Institute, in Kan-
3 awha county, shall be continued and shall be known as the
4 "West Virginia state college." The educational ~~board~~
5 affairs of said college shall be under the control, supervision,
6 and management of the state board of education and the negro
7 board of education, the two boards sitting as one body.

8 The said joint board of education shall establish and maintain
9 in the West Virginia state college, in addition to the depart-
10 ments already established, such professional and graduate
11 schools and college courses of study as may be expedient and

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by O. C. C.
at Charles R. Smith
Clerk*

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12 practicable, and shall prescribe the conditions for graduation
13 therefrom and make rules for the conferring of degrees and for
14 issuing the proper diplomas to those who complete such courses.

15 The West Virginia state college shall have power and au-
16 thority to do extension work in agriculture, home economics,
17 and such other subjects as the said joint board of education
18 may direct among the negro population of West Virginia.

19 The rules and regulations made by the president and faculty
20 of said college for its general government, for the admission of
21 students thereto, and for the standards of scholarship to be
22 maintained therein shall be submitted to the said joint boards
23 of education for their approval.

Sec. 2. All bona fide residents of this state who have been
2 residents of the state for five years, and who have completed
3 courses of study equivalent to two years of college grade prepa-
4 ratory to special courses to be pursued outside of the state, or
5 who have otherwise qualified to enter such courses, and who
6 are now pursuing or may hereafter pursue, courses of study in
7 educational institutions outside of the state the same as those
8 taught in the West Virginia university or other West Virginia
9 schools, and, because of section eight, article twelve of the con-

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stitution of West Virginia, cannot pursue such course in the
West Virginia university, or other state schools, and no other
courses are taught in state supported educational institutions
provided for them, shall have their annual tuition and fees paid
by the state to the amount paid by a nonresident student of
the state university or other state supported schools, over and
above the amount of any tuition and fees paid by a resident
student of the state university or other schools, such tuition
cost to be ascertained by the state board of education for the
preceding school year and paid upon recognition of the state
superintendent of schools out of funds appropriated for that
purpose. The negro board of education and the state board of
education, acting jointly, shall prescribe rules and regulations
governing the granting of aid under this section.

ARTICLE XIV.

Section 1. The Bluefield state teachers' college, heretofore
established and located at Bluefield, in Mercer county, shall be
continued and shall be known as the "Bluefield state teachers'
college." The educational affairs of the Bluefield state teachers'
college shall be under the control, supervision and management
of the joint boards of education.

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7 The rules and regulations made by the president and faculty
8 of said college for its general government, for the admission of
9 students thereto and the standards of scholarship to be main-
10 tained therein shall be submitted to the joint boards of educa-
11 tion for their approval.

12 The negro board of education in conjunction with the state
13 board of education shall establish and maintain in the Bluefield
14 state teachers' college, in addition to the departments already
15 established, such other courses of study as may be expedient
16 and practicable and shall prescribe the conditions for gradua-
17 tion therefrom and make rules for the conferring of degrees and
18 for issuing the proper diplomas to those who complete such
19 courses, as in the case of other state educational institutions.

ARTICLE XVIII.

Section 1. The West Virginia school for the colored deaf and
2 blind, heretofore established and located at Institute, in Kan-
3 awha county, shall be continued and shall be known as the
4 "West Virginia school for the colored deaf and blind." The
5 school shall be maintained for the care and training of the
6 colored deaf and blind of the state, and its educational affairs
7 shall be under the control, supervision and management of the

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8 said joint boards of education. The chief executive officer of
9 this school shall be the principal, who shall be a member of the
10 negro race, shall be a graduate of a reputable college, shall have
11 had at least six years' experience as a teacher, and shall be a
12 person of good executive ability.

13 All acts or parts of acts inconsistent herewith are hereby re-
14 pealed; the advisory council of the state board of education is
15 hereby abolished.

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James H. Smith
Chairman Senate Committee.

[Signature]

B. M. Stiner
Speaker of the House of Delegates.

Moss Hall
Clerk of the House of Delegates.

H. M. [Signature]
President of the Senate.

[Signature]
Clerk of the Senate.

James L. Smith
Chairman House Committee.

The within is... *approved* ...

this... *9th* ... day of... *June* ..., 1933.

H. S. [Signature]
Governor.

Filed in the office of the Secretary of State
of West Virginia. *JUN 12 1933*
Wm. S. O'BRIEN,
Secretary of State