

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1939



ENROLLED

HOUSE BILL No. 277

(By Mr. Taylor)



PASSED March 10, 1939

In Effect from Passage

**ENROLLED**  
**House Bill No. 277**

(BY MR. TAYLOR)

[Passed March 10, 1939; in effect from passage.]

AN ACT to amend and reenact section thirteen, article five, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter eight, acts of the Legislature, first extraordinary session, one thousand nine hundred thirty-three, and as last amended by chapter sixty, acts of the Legislature, regular session, one thousand nine hundred thirty-five, relating to the authority of county boards of education, and authorizing the purchase of insurance against negligence.

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

That section thirteen, article five, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter eight, acts of the Legislature, first extraordinary session, one thousand nine hundred thirty-three, and as last

amended by chapter sixty, acts of the Legislature, regular session, one thousand nine hundred thirty-five, be amended and reenacted to read as follows:

Section 13. *Powers and Duties of Boards of Education.*

2 The boards, subject to the provisions of this chapter and the  
3 rules and regulations of the state board, shall have authority:

4 (1) To control and manage all of the schools and school  
5 interests of the county;

6 (2) To establish needed high schools;

7 (3) To close any school which is unnecessary and to assign  
8 the pupils thereof to other schools;

9 (4) To consolidate schools;

10 (5) To close any elementary school whose average daily  
11 attendance falls below twenty pupils for two months in suc-  
12 cession, and send the pupils to other schools in the district  
13 or to schools in adjoining districts. The compensation of  
14 teachers in schools so closed shall cease;

15 (6) To provide at public expense adequate means of  
16 transportation for all children of school age who live more  
17 than two miles distant from school by the nearest available  
18 road or path;

19 (7) To provide at public expense for insurance against  
20 the negligence of the drivers of school buses, trucks, or other  
21 vehicles operated by the board; and if the transportation of  
22 pupils be let out to contract, then the contract therefor shall  
23 provide that the contractor shall carry insurance against negli-  
24 gence in such an amount as the board shall specify.

25 The board of any district may expend under such regula-  
26 tions as it establishes for each child an amount not to exceed  
27 the proportion of all school funds of the district that each  
28 child would be entitled to receive if all the funds were dis-  
29 tributed equally among all the children of school age in the  
30 district upon a per capita basis. No changes in textbooks  
31 except those provided by general law shall be made as a  
32 result of the passage of this act: *Provided, however,* That at  
33 least one year of instruction in the history of the state of  
34 West Virginia shall be given prior to the eighth grade.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*E. O. Wiseman*

Chairman Senate Committee

*Pepe D. Walter*

Chairman House Committee

Originated in the *House of Delegates*

Takes effect *from* passage.

*Chas. Smith*

Clerk of the Senate

*Geo. S. Hall*

Clerk of the House of Delegates

*Wm. M. McWhorter*

President of the Senate

*James Kay Thomas*

Speaker House of Delegates

The within *approved* this the *16<sup>th</sup>*

day of *March*, 1939.

*Samuel R. Allen*

Governor.



Filed in the office of the Secretary of State of West Virginia. **MAR 17 1939**

Wm. S. O'BRIEN, Secretary of State