

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1943

ENROLLED

*Senate Committee Substitute*  
*For* SENATE BILL No. 92

*Originating* By Mr. in the Committee on Finance

PASSED March 12 1943

In Effect Twenty days from Passage



710

**ENROLLED**

**SENATE COMMITTEE SUBSTITUTE**

**FOR**

**Senate Bill No. 92**

(Originating in the Committee on Finance.)

[Passed March 13, 1943; in effect 90 days from passage.]

AN ACT to amend and reenact section eleven, article nine-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter twenty-nine, acts of the Legislature, regular session, one thousand nine hundred forty-one, relating to the allocation of state aid to public schools and providing for increased salaries for teachers.

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

That section eleven, article nine-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one,

as last amended, be amended and reenacted to read as follows:

Section 11. *Allocation of State Aid.* The board of  
2 finance shall then proceed to allocate the amount avail-  
3 able for distribution as state aid (as certified by the State  
4 auditor in accordance with section six-a, article nine  
5 of this chapter) among the several counties as fol-  
6 lows:

7 (1) The board of finance shall first allocate to each  
8 county (a) forty-five per cent of the cost of the founda-  
9 tion program for that county, or (b) an amount equal  
10 to the difference between the cost of the foundation  
11 program for that county and the local share of revenue  
12 for that county; whichever of (a) or (b) is greater.

13 (2) The board of finance shall next allocate to each  
14 county an amount to be computed by multiplying by  
15 two hundred twenty-five the number of teachers ac-  
16 tually employed by the county board for the current  
17 school year, which number, for purposes of this sub-  
18 section, shall in no instance exceed the number of teachers  
19 approved for employment in such county by the board

20 of finance. It is the purpose of this subsection to pro-  
21 vide for each teacher so approved a salary increase of  
22 twenty-five dollars per month.

23 No part of the funds distributed under this subsection  
24 shall be available for any purpose other than teachers'  
25 salaries and no part of same shall be made available to  
26 any county board which reduces salaries below the  
27 salaries paid to teachers for the school year one thou-  
28 sand nine hundred forty-two and one thousand nine hun-  
29 dred forty-three, including the legal minimum salary  
30 plus the excess salary paid by the county board for the  
31 school year one thousand nine hundred forty-two and one  
32 thousand nine hundred forty-three, except that such ex-  
33 cess salary may be reduced on the approval of the board  
34 of finance when such reduction is based on any or all of  
35 the following factors affecting local revenues out of  
36 which such excess salaries were paid: (a) Rejection by  
37 the voters of the county of a special levy previously ap-  
38 proved by the voters of the county and effective during  
39 the school year one thousand nine hundred forty-two  
40 and one thousand nine hundred forty-three or one thou-

41 sand nine hundred forty-three and one thousand nine  
42 hundred forty-four; (b) a substantial decline in the  
43 amount of revenue; (c) or other reasons approved by  
44 the board of finance. The allocation made by this sub-  
45 section (2) shall terminate on the thirteenth day of June,  
46 one thousand nine hundred forty-five.

47 The additional salary received by any teacher as a  
48 result of the provisions of this subsection shall not be  
49 counted as earnable compensation for purposes of com-  
50 puting members' contributions to the accumulation fund  
51 of the state teachers' retirement system as prescribed in  
52 section fourteen, article seven-a of this chapter.

53 (3) The board of finance shall then allocate the amount  
54 remaining for distribution as state aid, after the require-  
55 ments of (1) and (2) above have been met, among the  
56 several counties of the state in a uniform proportion  
57 to the number of teachers allotted each county. The  
58 amount to be received by a county under this subsec-  
59 tion shall be computed by multiplying the amount avail-  
60 able for distribution to all the counties by the number  
61 of teachers allotted to that county divided by the total

62 number of teachers allotted to all the counties of the  
63 state.

64 The amount of state aid to be received by each county  
65 shall be the sum of the amounts determined as the re-  
66 sult of (1), (2) and (3) above, and shall be used by the  
67 several counties in the support of the schools. No county  
68 shall employ more than the allotted number of teachers  
69 without the prior consent of the board of finance. By  
70 allotted number of teachers is meant the sum of three  
71 per cent of the corrected average daily attendance in  
72 elementary schools and four per cent of the corrected  
73 average daily attendance in high schools. In determin-  
74 ing the corrected average daily attendance, under this  
75 paragraph, a non-isolated elementary school shall be  
76 counted as one full school and not as one-fourth of a  
77 school.

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

Ray H. Jones  
Chairman Senate Committee

Fred S. Rotroff  
Chairman House Committee

Originated in the Senate

Takes effect Provisory upon passage

Fred B. Watkins  
Clerk of the Senate

Saliff  
Clerk of the House of Delegates

James Paule  
President of the Senate

John E. Amos  
Speaker House of Delegates

The within approved this the 19th  
day of March, 1943.

Matthew Neely  
Governor.

Filed in the office of the Secretary of State  
of West Virginia MAR 19 1943

Wm. S. O'BRIEN,  
Secretary of State