ENROLLED

SENATE BILL No. 9

.originating

By the Committee on Finance

PASSED March 12, 1943

In Effect thirty days from Passage
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 finance shall then proceed to allocate the amount available for distribution as state aid (as certified by the State auditor in accordance with section six-a, article nine of this chapter) among the several counties as follows:

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

(2) The board of finance shall next allocate to each county an amount to be computed by multiplying by two hundred twenty-five the number of teachers actually employed by the county board for the current school year, which number, for purposes of this subsection, shall in no instance exceed the number of teachers approved for employment in such county by the board.
of finance. It is the purpose of this subsection to pro-
vide for each teacher so approved a salary increase of
twenty-five dollars per month.
No part of the funds distributed under this subsection
shall be available for any purpose other than teachers'
salaries and no part of same shall be made available to
any county board which reduces salaries below the
salaries paid to teachers for the school year one thou-
sand nine hundred forty-two and one thousand nine hun-
dred forty-three, including the legal minimum salary
plus the excess salary paid by the county board for the
school year one thousand nine hundred forty-two and one
thousand nine hundred forty-three, except that such ex-
cess salary may be reduced on the approval of the board
of finance when such reduction is based on any or all of
the following factors affecting local revenues out of
which such excess salaries were paid: (a) Rejection by
the voters of the county of a special levy previously ap-
proved by the voters of the county and effective during
the school year one thousand nine hundred forty-two
and one thousand nine hundred forty-three or one thou-
sand nine hundred forty-three and one thousand nine
hundred forty-four; (b) a substantial decline in the
amount of revenue; (c) or other reasons approved by
the board of finance. The allocation made by this sub-
section (2) shall terminate on the thirteenth day of June,
one thousand nine hundred forty-five.

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

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

The amount of state aid to be received by each county shall be the sum of the amounts determined as the result of (1), (2) and (3) above, and shall be used by the several counties in the support of the schools. No county shall employ more than the allotted number of teachers without the prior consent of the board of finance. By allotted number of teachers is meant the sum of three per cent of the corrected average daily attendance in elementary schools and four per cent of the corrected average daily attendance in high schools. In determining the corrected average daily attendance, under this paragraph, a non-isolated elementary school shall be counted as one full school and not as one-fourth of a school.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Fred. L. Rotroff
Chairman House Committee

Originated in the Senate

Takes effect thirty days from passage

Fred. B. Watson
Clerk of the Senate

Clerk of the House of Delegates

James P. Moore
President of the Senate

Speaker House of Delegates

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

Governor

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

Wm. S. O'Brien,
Secretary of State