

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951



ENROLLED

HOUSE BILL No. 8

(By Mr. Mills)



PASSED March 5, 1951

In Effect Forty days from Passage



#8

ENROLLED
House Bill No. 8
(By MR. MILLS)

[Passed March 5, 1951; in effect ninety days 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 last amended by chapter forty-nine, acts of the Legislature, regular session, one thousand nine hundred thirty-nine, relating to general control of schools by the district board of education.

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

Article 5. District Board of Education.

Section 13. *General Control of Schools; Consolidation;*

2 *Transportation of Pupils.*—The boards, subject to the pro-

3 visions of this chapter and the rules and regulations of
4 the state board, shall have authority:

5 (1) To control and manage all of the schools and school
6 interests of the county, including the authority to require
7 that records be kept of all receipts and disbursements of
8 all funds collected or received by any principal, teacher,
9 student or other person in connection with any program,
10 activity or other endeavor of any nature operated or car-
11 ried on by or in the name of the school, or any organiza-
12 tion or body directly connected with the school, and the
13 authority to audit such records;

14 (2) To establish needed high schools;

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

17 (4) To consolidate schools;

18 (5) To close any elementary school whose average
19 daily attendance falls below twenty pupils for two months
20 in succession, and send the pupils to other schools in the
21 district or to schools in adjoining districts. The compen-
22 sation of teachers in schools so closed shall cease;

23 (6) To provide at public expense adequate means of

24 transportation for all children of school age who live more
25 than two miles distant from school by the nearest avail-
26 able road or path; and to provide at public expense and
27 according to such regulations as the board may establish,
28 adequate means of transportation for school children par-
29 ticipating in athletic, literary and band activities: *Pro-*
30 *vided*, That in all cases the buses or other transportation
31 facilities owned by the board of education shall be driven
32 or operated only by drivers regularly employed by the
33 board of education: *Provided, further*, That buses shall
34 be used for extra curricular activities as herein provided
35 only when the insurance provided for by this section
36 shall have been effected.

37 (7) To provide at public expense for insurance against
38 the negligence of the drivers of school buses, trucks, or
39 other vehicles operated by the board; and if the trans-
40 portation of pupils be let out to contract, then the contract
41 therefor shall provide that the contractor shall carry in-
42 surance against negligence in such an amount as the board
43 shall specify.

44 The board of any district shall expend under such regu-

45 lations as it establishes for each child an amount not to
46 exceed the proportion of all school funds of the district
47 that each child would be entitled to receive if all the
48 funds were distributed equally among all the children
49 of school age in the district upon a per capita basis. No
50 changes in textbooks except those provided for by gen-
51 eral law shall be made as a result of the passage of this
52 act: *Provided, however,* That at least one year of in-
53 struction in the history of the state of West Virginia
54 shall be given prior to the eighth grade.

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

Robert C. Byrd
Chairman Senate Committee

James M. Loop
Chairman House Committee

Originated in the House of Delegates

Takes effect Ninety days from passage.

Howard M. ...
Clerk of the Senate

J. R. Clift
Clerk of the House of Delegates

Joseph ...
President of the Senate

W. E. Hamann
Speaker House of Delegates

The within approved this the 15th
day of MARCH, 1951.

Okay L. Patton
Governor



of West Virginia MAR 15 1951
D. PITT O'BRIEN,
SECRETARY OF STATE