

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 25

(By Mr. Barnes)



PASSED February 25, 1953

In Effect 90 days after Passage



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D. PITT O'BRIEN,
SECRETARY OF STATE

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House Bill No. 25

(By MR. SPEAKER, MR. FLANNERY)

[Passed February 25, 1953; in effect ninety days from passage.]

AN ACT to amend and reenact article nine-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the allocation of state aid for schools.

Be it enacted by the Legislature of West Virginia:

That article nine-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Article 9-a. Allocation of State Aid for Schools.

Section 1. *Distribution of State Aid to Free Schools.*—

2 The purpose of this article is to provide for the distribu-
3 tion of state aid for free schools among the several coun-
4 ties of the state. In enacting this method of computation
5 and distribution, the Legislature has in mind the follow-
6 ing specific purposes:

7 1. To provide a method of distribution that will supply
8 each county with the funds reasonably necessary to oper-

9 ate its schools on a basis that accords with the relative
10 educational needs of the several counties.

11 2. To establish a method of computation and allocation
12 that so far as may be possible eliminates the need for the
13 exercise of state administrative discretion concerning the
14 requirements of the several counties.

15 3. To give to each county every possible incentive to the
16 constructive development of its school system, and to
17 place with the county boards of education the responsi-
18 bility for the preservation and improvement of the stand-
19 ards of local education.

20 4. To coordinate the administration of state aid more
21 closely with the general fiscal policies of the state.

22 With the foregoing purposes in view, the allocation and
23 administration of state aid is hereby conferred upon the
24 state board of school finance.

Sec. 2. *Definitions.*—For the purposes of this article:

2 “State board” or “board” means the state board of
3 school finance.

4 “County board” means a county board of education.

5 “Teacher” shall include any principal, supervisor of

6 instruction or coach, and any special teacher who devotes
7 the majority of his school time to the instruction of school
8 age children.

9 "Average annual legal minimum salary for teachers"
10 for any county means the sum of the basic salaries and
11 the increments for experience for all teachers employed
12 therein at the end of the third month of the current school
13 year, divided by the total number of such teachers. Basic
14 salaries and increments for experience shall be those des-
15 igned by the laws of West Virginia.

16 "Net enrollment" means the number of pupils enrolled
17 in grades one to twelve, inclusive, of the public schools
18 of the county at the close of the third month of the cur-
19 rent school year, but no pupil shall be counted more than
20 once by reason of transfer within the county or from an-
21 other county within the state, and no pupil shall be
22 counted who attends school in this state from another
23 state.

24 "High school" means a school consisting only of grades
25 above the sixth, organized for instruction by departments,
26 or the seventh and eighth grades of a school in which

27 these grades are organized for instruction by depart-
28 ments and which has at least four teachers in these
29 grades.

30 "Levies for general current expense purposes" means
31 on each hundred dollars of valuation, nineteen and six-
32 tenths cents on class one property, thirty-nine and two-
33 tenths cents on class two property, and seventy-eight and
34 four-tenths cents on classes three and four property.

211 Sec. 3. *Computation of Local Share.*—On the basis of
2 the most recent survey of property valuations in the state,
3 determined by the tax commissioner under present or
4 former provisions of this article, the board shall for each
5 county compute, by application of the levies for general
6 current expense purposes, as defined in the preceding
7 section, the amount of revenue which such levies would
8 produce if levied upon one hundred per cent of the true
9 and actual value of each of the several classes of property
10 contained in the report or revised report of such value,
11 made to it by the tax commissioner, as follows: (1) The
12 board shall first take ninety-seven and one-half per cent
13 of the amount ascertained by applying these rates to the

14 total assessed public utility valuation in each classifica-
15 tion of property in the county. (2) The board shall then
16 apply these rates to the appraised value of other property
17 in each classification in the county, as determined by the
18 tax commissioner, and shall deduct therefrom five per
19 cent as an allowance for the usual losses in collections
20 due to discounts, exonerations, delinquencies and the
21 like. Fifty per cent of the amount so determined shall
22 be added to the ninety-seven and one-half per cent of
23 public utility taxes computed as provided above, and this
24 total shall be the local share of the particular county.

25 The tax commissioner shall reappraise the property in
26 each county of the state at least once every four years.
27 The commissioner for this purpose shall be allowed an-
28 nually not to exceed fifty thousand dollars from moneys
29 appropriated and available for state aid during the fiscal
30 year.

Sec. 4. *Total State Foundation Program.*—The total
2 state foundation school program for any year shall be
3 the appropriation for state aid to schools available for
4 distribution during that year, plus the total local share

5 for all counties in the state, determined for that year as
6 provided in the preceding section. The amount of the
7 total state foundation program so determined shall be
8 used to meet the requirements of each successive division
9 or step of the allocation formula provided for in this
10 article, in the order of priority stated in the following
11 section. Whenever the amount applicable to any divi-
12 sion or step is insufficient to meet fully the stated require-
13 ment, the amount for each unit of cost in such division
14 or step shall be reduced proportionately, and the re-
15 maining divisions or steps of the formula shall necessarily
16 be disregarded.

Sec. 5. *Allocation of Weighted Pupils: Elementary*
2 *Schools.*—For every elementary school in each county,
3 and for every other school that does not qualify as a high
4 school as defined in section two of this article, weighted
5 pupils shall be allocated to each such school by applica-
6 tion of the following scale to the net enrollment for such
7 school as shown by the superintendent's certified attend-
8 ance report for the third month of the current school
9 year:

10 SCALE FOR COMPUTING FROM ACTUAL ENROLL-
 11 MENT THE NUMBER OF WEIGHTED PUPILS FOR
 12 EACH ELEMENTARY SCHOOL

Net Enrollment	Weighted Pupils	Net Enrollment	Weighted Pupils	Net Enrollment	Weighted Pupils
34 and below _____		Net Enrollment multiplied by 1.8, but not more than 30 times the number of such schools.			
35 _____	45.89	59 _____	69.17	83 _____	91.01
36 _____	46.98	60 _____	70.08	84 _____	91.92
37 _____	48.07	61 _____	70.99	85 _____	92.83
38 _____	49.16	62 _____	71.90	86 _____	93.74
39 _____	50.25	63 _____	72.81	87 _____	94.65
40 _____	51.34	64 _____	73.72	88 _____	95.56
41 _____	52.43	65 _____	74.63	89 _____	96.20
42 _____	53.52	66 _____	75.54	90 _____	96.75
43 _____	54.61	67 _____	76.45	91 _____	97.30
44 _____	55.52	68 _____	77.36	92 _____	97.85
45 _____	56.43	69 _____	78.27	93 _____	98.40
46 _____	57.34	70 _____	79.18	94 _____	98.95
47 _____	58.25	71 _____	80.09	95 _____	99.50
48 _____	59.16	72 _____	81.00	96 _____	100.05
49 _____	60.07	73 _____	81.91	97 _____	100.60
50 _____	60.98	74 _____	82.82	98 _____	101.15
51 _____	61.89	75 _____	83.73	99 _____	101.70
52 _____	62.80	76 _____	84.64	100 _____	102.25
53 _____	63.71	77 _____	85.55	101 _____	102.80
54 _____	64.62	78 _____	86.46	102 _____	103.35
55 _____	65.53	79 _____	87.37	103 _____	103.90
56 _____	66.44	80 _____	88.28	104 _____	104.45
57 _____	67.35	81 _____	89.19	105 and	
58 _____	68.26	82 _____	90.10	above _____	Net Enrollment multiplied by 1.

13 The sum of the weighted pupils so determined shall be
 14 the total number of weighted pupils allocated to the
 15 elementary schools in the county.

Sec. 6. *Allocation of Weighted Pupils: High Schools:*

2 *Total Weighted Pupils for County.*—For every high school
 3 in each county, weighted pupils shall be allocated to each
 4 such school by application of the following scale to the
 5 net enrollment of the school as shown by the superintend-
 6 ent's certified attendance report for the third month of
 7 the current school year:

8 SCALE FOR COMPUTING FROM ACTUAL ENROLL-
 9 MENT THE NUMBER OF WEIGHTED PUPILS FOR
 10 EACH HIGH SCHOOL

Net Enrollment	Weighted Pupils	Net Enrollment	Weighted Pupils	Net Enrollment	Weighted Pupils
79 and below _____		Net Enrollment multiplied by 1.89			
80 _____	151.18	99 _____	176.06	118 _____	196.72
81 _____	152.59	100 _____	177.26	119 _____	197.69
82 _____	153.99	101 _____	178.44	120 _____	198.65
83 _____	155.39	102 _____	179.63	121 _____	199.60
84 _____	156.77	103 _____	180.76	122 _____	200.53
85 _____	158.14	104 _____	181.91	123 _____	201.45
86 _____	159.49	105 _____	183.04	124 _____	202.36
87 _____	160.83	106 _____	184.16	125 _____	203.26
88 _____	162.17	107 _____	185.27	126 _____	204.15
89 _____	163.49	108 _____	186.38	127 _____	205.03
90 _____	164.80	109 _____	187.47	128 _____	205.89
91 _____	166.10	110 _____	188.54	129 _____	206.75
92 _____	167.39	111 _____	189.60	130 _____	207.59
93 _____	168.66	112 _____	190.65	131 _____	208.41
94 _____	169.92	113 _____	191.69	132 _____	209.23
95 _____	171.17	114 _____	192.72	133 _____	210.04
96 _____	172.42	115 _____	193.74	134 _____	210.84
97 _____	173.64	116 _____	194.75	135 _____	211.62
98 _____	174.86	117 _____	195.74	136 _____	212.38

Net Enrollment	Weighted Pupils	Net Enrollment	Weighted Pupils	Net Enrollment	Weighted Pupils
137	213.14	159	226.89	181	234.95
138	213.89	160	227.37	182	235.18
139	214.63	161	227.85	183	235.40
140	215.35	162	228.31	184	235.61
141	216.07	163	228.77	185	235.80
142	216.77	164	229.21	186	235.99
143	217.45	165	229.64	187	236.16
144	218.13	166	230.07	188	236.32
145	218.80	167	230.47	189	236.47
146	219.45	168	230.87	190	236.61
147	220.09	169	231.25	191	236.74
148	220.73	170	231.62	192	236.86
149	221.34	171	231.99	193	236.96
150	221.95	172	232.33	194	237.05
151	222.54	173	232.67	195	237.13
152	223.13	174	233.00	196	237.20
153	223.69	175	233.31	197	237.25
154	224.26	176	233.61	198	237.30
155	224.81	177	233.91	199	237.33
156	225.34	178	234.18	200 and	
157	225.87	179	234.45	above	Net Enrollment
158	226.38	180	234.70		multiplied by 1.1868

11 The sum of the weighted pupils so determined shall be
 12 the total number of weighted pupils allocated to the high
 13 schools in the county.

14 The sum of the weighted pupils computed for the
 15 county under this and the preceding section shall be the
 16 total number of weighted pupils allocated to the county
 17 for the purpose of calculating the total foundation school
 18 program of the county, for the next fiscal year, as pro-
 19 vided in the following sections.

Sec. 7. *Foundation Program Allowance for Instruction-*

2 *al Salaries.*—The allowance in the foundation school pro-
3 gram of each county for instructional salaries for the next
4 fiscal year shall be the total number of weighted pupils
5 in the county, determined on the basis of attendance re-
6 ports for the current school year, multiplied by one-
7 thirtieth of the average annual legal minimum salary for
8 teachers in the county for that year.

Sec. 8. *Foundation Program Allowance for Transporta-*

2 *tion.*—The allowance in the foundation school program of
3 each county for transportation for the next fiscal year
4 shall be computed as follows:

5 From data for the third month of the current school
6 year, the state board shall determine for each county
7 the average number of pupils transported per mile of bus
8 route one way in county-owned buses and in contract
9 buses by dividing the total number of pupils scheduled to
10 ride such buses on regularly scheduled routes each day
11 by the total length one way of all regularly scheduled
12 bus routes traveled by such buses. The allowance of
13 the county for such transportation shall be the average

14 number of pupils transported per mile of bus route one
 15 way, so determined, multiplied by the annual allowance
 16 per pupil provided for in the following scale:

17 **TRANSPORTATION ALLOWANCE SCALE**

Number of Pupils Trans- ported Per Mile of Bus Route One Way	Annual Allowance Per Pupil
2.59—and less _____	\$41.00
2.60—2.69 _____	39.66
2.70—2.79 _____	38.40
2.80—2.89 _____	37.30
2.90—2.99 _____	36.30
3.00—3.09 _____	35.40
3.10—3.19 _____	34.50
3.20—3.29 _____	33.70
3.30—3.39 _____	32.90
3.40—3.49 _____	32.10
3.50—3.59 _____	31.50
3.60—3.69 _____	30.90
3.70—3.79 _____	30.30
3.80—3.89 _____	29.70
3.90—3.99 _____	29.20
4.00—4.09 _____	28.70
4.10—4.19 _____	28.30
4.20—4.29 _____	27.90
4.30—4.39 _____	27.50
4.40—4.49 _____	27.10
4.50—4.59 _____	26.70
4.60—4.69 _____	26.30

Number of Pupils Trans- ported Per Mile of Bus Route One Way	Annual Allowance Per Pupil
4.70—4.79 _____	25.90
4.80—4.89 _____	25.50
4.90—4.99 _____	25.20
5.00—5.09 _____	25.00
5.10—5.19 _____	24.60
5.20—5.29 _____	24.30
5.30—5.39 _____	24.00
5.40—5.49 _____	23.70
5.50—5.59 _____	23.40
5.60—5.69 _____	23.10
5.70—5.79 _____	22.80
5.80—5.89 _____	22.50
5.90—5.99 _____	22.20
6.00—6.09 _____	21.90
6.10—6.19 _____	21.60
6.20—6.29 _____	21.30
6.30—6.39 _____	21.00
6.40—6.49 _____	20.70
6.50—and up _____	20.40

18 Whenever it appears to the satisfaction of the board that
19 average transportation costs per pupil in the state have
20 increased or decreased five per cent or more as compared
21 with the scale of annual transportation allowance per
22 pupil used in computing the foundation program for the
23 previous year, the board may recompute the scale to de-

24 termine justifiable increases or decreases in such allow-
25 ances.

26 The board shall determine the state average annual cost
27 per pupil paid during the previous school year by all
28 county boards of education for public utility transporta-
29 tion and for aid in lieu of transportation. On the basis
30 of data for the third month of the current school year,
31 each county shall then be allowed the sum of the amounts
32 computed by multiplying the number of pupils reported
33 by the county in each such category by the state average
34 annual cost per pupil in that category.

35 The sum of the amounts allowed each county under
36 the provisions of this section shall be the total transporta-
37 tion allowance for the county in its foundation school pro-
38 gram for the next fiscal year.

Sec. 9. Foundation Program Allowance for Other Cur-
2 *rent Expenses.*—The allowance in the foundation school
3 program of each county for other current expenses shall
4 be computed as follows:

5 Step (1). Thirty-five dollars each for the first thousand

6 weighted pupils plus ten dollars each for all weighted
7 pupils in the county in excess of one thousand.

8 Step (2). Fifteen dollars for each net-enrolled pupil in
9 the county.

10 Step (3). Five dollars for each weighted pupil in the
11 county.

12 The sum of the amounts allowed each county under
13 these steps shall be the total allowance for the county in
14 its foundation school program for other current expenses
15 for the next fiscal year.

Sec. 10. *Foundation Program Allowance for General*

2 *Improvement.*—The allowance in the foundation school
3 program of each county for the general improvement of
4 educational services and facilities in the county shall be
5 computed as follows:

6 Step (1). One-half of the undistributed remainder of
7 the total state foundation school program shall be allo-
8 cated among the counties on the basis of weighted pupils.
9 The allowance of each county shall be the total number
10 of weighted pupils in the county multiplied by the total

11 amount available for distribution under this step divided
12 by the total number of weighted pupils in the state.

13 Step (2). The other half of the undistributed remainder
14 of the total state foundation school program shall be allo-
15 cated among the counties on the basis of net-enrolled
16 pupils. The allowance of each county shall be the total
17 number of net-enrolled pupils in the county multiplied
18 by the total amount available for distribution under this
19 step divided by the total number of net-enrolled pupils
20 in the state.

21 The sum of the amounts allowed each county under
22 these two steps shall be the total allowance for the county
23 for the general improvement of its foundation school pro-
24 gram for the next fiscal year.

Sec. 11. *Total County Foundation Program: Amount of*
2 *State Aid.*—The total foundation school program for each
3 county for the next fiscal year shall be the sum of the
4 amounts allowed the county under the preceding provi-
5 sions of the formula.

6 Prior to the first day of July in each year the state board
7 shall determine the total foundation school program for

8 each county for the next fiscal year. The board shall
9 then allocate to each county its share of the total funds
10 available for state aid to schools during such fiscal year.
11 The amount of state aid for each county shall be the total
12 foundation school program of the county for the year
13 minus the local share of the county, determined for the
14 year as provided in this article.

15 After such computation is completed, the state board
16 shall immediately certify to each county board the amount
17 of state aid allocated to the county for the next fiscal year.

18 *Sec. 12. Temporary Supplemental State Aid.*—Out of
19 funds specially appropriated for the purpose for the fiscal
20 year beginning on the first day of July, one thousand nine
21 hundred fifty-three, and for each of the next three fiscal
22 years, temporary supplemental state aid shall be paid as
23 provided in this section.

24 In order to determine which counties are entitled to
25 temporary supplemental state aid and the amount of such
26 aid, the state board shall first compute the amount to
27 be received by each county from the regular state aid
28 appropriation for the fiscal year beginning on the first

12 day of July, one thousand nine hundred fifty-three, allo-
13 cated as provided in the preceding sections. The board
14 shall then compare such amount with the state aid the
15 county would have received from an appropriation suf-
16 ficient to meet the minimum requirements of the school
17 aid formula and the allocation plan in effect during the
18 fiscal year one thousand nine hundred fifty-two—one
19 thousand nine hundred fifty-three, with necessary correc-
20 tions to take care of the change in the method of count-
21 ing transfer pupils in net enrollment. From any funds
22 appropriated for the purpose, the state board shall then
23 allocate to each county showing a loss in state aid on the
24 basis of such comparison, eighty per cent of such loss the
25 first year, sixty per cent the second year, forty per cent
26 the third year, and twenty per cent the fourth and last
27 year. If the appropriation for this purpose in any year is
28 insufficient to pay the full amount of temporary state aid
29 provided for in this section, every allocation of such aid
30 shall be reduced proportionately.

Sec. 13. *County Request Schedule.*—Each county board
2 of education shall file a request schedule with the state

3 board for payments of state aid to which it is entitled in
4 each fiscal year. The state board shall have authority to
5 examine and approve, disapprove or modify the schedule
6 of payments, so long as its action does not unreasonably
7 curtail the educational program of any county. The state
8 board shall pay state aid by requisition upon the state
9 auditor in favor of the fiscal officer of each county board
10 in installments according to the schedule as finally ap-
11 proved or modified.

Sec. 14. *Rules and Regulations.*—The state board shall
2 have authority to make such reasonable rules and regula-
3 tions as may be necessary to enable it to carry out the
4 purposes and intent of this article with respect to the allo-
5 cation of state aid for schools.

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

A. M. Kinley
Chairman Senate Committee

E. H. Aurbler
Chairman House Committee

Originated in the House of Delegates

Takes effect 90 days from passage.

Howard Myers
Clerk of the Senate

J. R. Bluff
Clerk of the House of Delegates

Ralph J. Bean
President of the Senate

[Signature]
Speaker House of Delegates

The within approved this the 3rd day of March, 1953.

William C. Marland
Governor

