WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1963

ENROLLED

SENATE BILL NO. 261

(by Mr. )

PASSED March 5, 1963

In Effect from Passage

Filed in Office of the Secretary of State
of West Virginia 3-14-63
JOE F. BURDETT
SECRETARY OF STATE
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, relating to general control of schools; consolidation; transportation of pupils.

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, be amended and reenacted to read as follows:

Section 13. General Control of Schools; Consolidation;

2 Transportation of Pupils.—The boards, subject to the provisions of this chapter and the rules and regulations of the state board, shall have authority:
(1) To control and manage all of the schools and school interests of the county, including the authority to require that records be kept of all receipts and disbursements of all funds collected or received by any principal, teacher, student or other person in connection with any program, activity or other endeavor of any nature operated or carried on by or in the name of the school, or any organization or body directly connected with the school, to audit such records and to conserve such funds, which shall be deemed quasi-public moneys, including securing surety bonds by expenditure of board moneys:

(2) To establish needed high schools;

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

(4) To consolidate schools;

(5) To close any elementary school whose average daily attendance falls below twenty pupils for two months in succession, and send the pupils to other schools in the district or to schools in adjoining districts. The compensation of teachers in schools so closed shall cease;
(6) To provide at public expense adequate means of transportation for all children of school age who live more than two miles distant from school by the nearest available road or path; and to provide at public expense and according to such regulations as the board may establish, adequate means of transportation for school children participating in athletic, literary or music activities: Provided, That in all cases the buses or other transportation facilities owned by the board of education shall be driven or operated only by drivers regularly employed by the board of education: Provided, however, That buses shall be used for extra curricular activities as herein provided only when the insurance provided for by this section shall have been effected.

(7) To provide at public expense for insurance against the negligence of the drivers of school buses, trucks, or other vehicles operated by the board; and if the transportation of pupils be let out to contract, then the contract therefor shall provide that the contractor shall carry insurance against negligence in such an amount as the board shall specify.
“Quasi-public funds” as used herein are defined as any money received by school board employees for the benefit of the school system as a result of curricular or non-curricular activities.

The board of any district shall expend under such regulations as it establishes for each child an amount not to exceed the proportion of all school funds of the district that each child would be entitled to receive if all the funds were distributed equally among all the children of school age in the district upon a per capita basis. No changes in textbooks except those provided by general law shall be made as a result of the passage of this act: Provided, That at least one year of instruction in the history of the State of 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.

O. Ray Parker  
Chairman Senate Committee

Ethel L. Randall  
Chairman House Committee

Originated in the Senate.

Takes effect from passage.

H. Chambers  
Clerk of the Senate

A. Blankenship  
Clerk of the House of Delegates

Howard W. Carrow  
President of the Senate

Julius W. B Eggleston Jr.  
Speaker House of Delegates

The within approved this the 13th day of March, 1963.

JMM Buum  
Governor