

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963

ENROLLED

SENATE BILL NO. 261

*Mr. McLean* (By *Mr. Quinn*)

PASSED Mar - 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

# 261

ENROLLED

Senate Bill No. 261

(By MR. MCKOWN and MR. CARRIGAN)

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[Passed March 5, 1963; in effect from passage.]

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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 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, to audit  
13 such records and to conserve such funds, which shall be  
14 deemed quasi-public moneys, including securing surety  
15 bonds by expenditure of board moneys:

16 (2) To establish needed high schools;

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

19 (4) To consolidate schools;

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

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

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

46 "Quasi-public funds" as used herein are defined as any  
47 money received by school board employees for the benefit  
48 of the school system as a result of curricular or non-  
49 curricular activities.

50 The board of any district shall expend under such regu-  
51 lations as it establishes for each child an amount not to  
52 exceed the proportion of all school funds of the district  
53 that each child would be entitled to receive if all the  
54 funds were distributed equally among all the children of  
55 school age in the district upon a per capita basis. No  
56 changes in textbooks except those provided by general  
57 law shall be made as a result of the passage of this act:  
58 *Provided*, That at least one year of instruction in the his-  
59 tory of the State of West Virginia shall be given prior to  
60 the eighth grade.

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

O. Ray Parker  
Chairman Senate Committee

John L. Randall  
Chairman House Committee

Originated in the Senate.

Takes effect from passage.

John Howard Meyer  
Clerk of the Senate

C. Blankenship  
Clerk of the House of Delegates

Howard W. Carson  
President of the Senate

Julius W. Bagleton Jr.  
Speaker House of Delegates

The within approved this the 13<sup>th</sup>  
day of March, 1963.

W. M. Baum  
Governor

