

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED

Com. Sub. for
SENATE BILL NO. 102

(By Mr. Cason, Mr. President, and
Mr. McKinn original sponsors)

PASSED March 13, 1965

In Effect July 1, 1965 - Passage

FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-18-65

102

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EDUCATION
COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 102

(By MR. CARSON [Mr. President] and MR. MCKOWN
original sponsors)

[Passed March 13, 1965; in effect July 1, 1965.]

AN ACT to amend article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty-three, relating to comprehensive educational programs and financial support thereof.

Be it enacted by the Legislature of West Virginia:

That article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twenty-three, to read as follows:

Article 2. State Board of Education.

Section 23. Encouraging the Establishment and Operation

2 of Comprehensive Educational Programs.—The West Vir-
3 ginia board of education, through the state superintend-
4 ent of schools, shall establish standards and criteria
5 especially designed to guide the development of plans
6 for a comprehensive educational program or programs
7 in county school systems, to provide for their evaluation
8 and approval, and to provide, as herein directed, for the
9 allocation and distribution of state funds, which may be
10 appropriated to assist county school systems to meet ad-
11 ditional costs of development and operation of such pro-
12 grams. The plans shall include, but need not be restricted
13 to an analysis of existing program area deficiencies and
14 the procedures for their correction. The plans shall be
15 submitted to and be approved by the West Virginia board
16 of education.

17 County plans shall include one or more of the follow-
18 ing: (1) A plan to initiate comprehensive educational
19 programs in any or all areas or parts of the curriculum,
20 and provide necessary supporting services, or (2) A plan

21 to provide for the maintenance or extension of areas or
22 parts of comprehensive educational programs developed
23 or established under this act, or (3) A plan to give essen-
24 tial aid for instruction or supporting services for enrich-
25 ment of curriculum in schools designated as isolated by
26 the West Virginia board of education where consolida-
27 tion of schools or the development of county comprehen-
28 sive educational programs are not possible or feasible.

29 The state superintendent of schools shall provide as-
30 sistance to counties in the development and preparation
31 of their plans for a comprehensive educational program
32 or programs in order to insure that every county may
33 have the opportunity to fully participate and receive its
34 maximum share of the funds available. All plans shall
35 be submitted to the West Virginia board of education
36 on or before the first day of July of the school year in
37 which they are operative. The state superintendent of
38 schools shall as soon as possible and before the first day
39 of August each year notify any county whose plan fails
40 to receive approval specifying the manner in which the
41 plan fails to meet the criteria established and suggesting

42 the necessary corrections. If the county modifies its
43 plan so that its program or programs become acceptable
44 on or before the first day of September of that year,
45 the county shall be entitled to receive the computed share
46 of its allocation for which it is eligible under its ap-
47 proved plan.

48 The total potential cost of the comprehensive educa-
49 tional program for each county shall be determined prior
50 to the first day of July by multiplying the applicable
51 net enrollments at the close of the third month of the
52 current school term by the following amounts: ten dol-
53 lars for an adult in a public school program; ten dollars
54 per senior high school student; seven dollars and fifty
55 cents per junior high school student; and five dollars per
56 elementary school student, including kindergarten. If
57 the appropriation is not sufficient to provide for all coun-
58 ties their total potential costs as herein set forth, the
59 allocation to all counties shall be reduced proportion-
60 ately to secure a total which matches the appropriation.

61 Funds allocated to the counties shall be distributed to
62 them annually not later than the first day of November

63 on the basis of net enrollment in approved programs
64 which are part of their current comprehensive educa-
65 tional plan and the funds distributed shall be computed
66 as provided herein.

67 The West Virginia board of education shall establish
68 by regulation the number of areas in which a county
69 shall participate to qualify for full or partial distribution
70 of its allocation. The number of curriculum areas in
71 which a county shall be required to participate to qualify
72 for its full allocation shall depend upon factors such as
73 county size, population sparsity, topography and avail-
74 ability of school staff personnel. In no case shall the
75 allocation for any one county exceed the amount derived
76 from application of the maximum pupil allocation as
77 hereinbefore set forth.

78 If the county plans approved by the first day of Sep-
79 tember do not utilize the total allocations by reason of
80 the plan or plans of one or more counties not requiring
81 the full allocations or by failure of one or more counties
82 to submit an acceptable plan or plans by the first day
83 of September, then those moneys which were available

84 to such county or counties shall be declared by the state
85 board of education to be excess funds. These excess
86 funds shall be available for that year only for special
87 distribution. All counties shall be eligible for additional
88 moneys as a special distribution from excess funds if,
89 and to the extent that, such county or counties approved
90 plan or plans requires funds in excess of the amount
91 allocated to each county on or before the first day of
92 September: *Provided*, That no county may receive any
93 funds in excess of its total potential cost as determined
94 prior to the first day of July. If the moneys for which
95 the counties are eligible from the special distribution of
96 excess funds exceed the total amount available for such
97 distribution, the special distribution to each county shall
98 be reduced proportionately. It is the intention to dis-
99 tribute all excess funds, in any given year, on a pro rata
100 basis to all counties who have approved comprehensive
101 educational programs for that year and who have not
102 received their total potential funds.

103 Appropriations for the purpose of this section shall be
104 used only to meet the requirements of the allocation
105 schedule and of approved county plans.

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

C. Ray Parker
Chairman Senate Committee

Jones W. Loop
Chairman House Committee

Originated in the Senate.

Takes effect *July 1, 1965* ~~Passage.~~
J. Thomas Keedes
Clerk of the Senate

Clerk of the House of Delegates

Howard G. Carson
President of the Senate

H. Sabau White
Speaker House of Delegates

The within *approved* this the *18*
day of *March*, 1965.

Walter C. Smith
Governor

