WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED
SENATE BILL NO. 102

(By Mr. [Signature] and Mr. [Signature] original sponsors)

PASSED March 3, 1965

In Effect July 1, 1965

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

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 of Comprehensive Educational Programs.—The West Virginia board of education, through the state superintendent of schools, shall establish standards and criteria especially designed to guide the development of plans for a comprehensive educational program or programs in county school systems, to provide for their evaluation and approval, and to provide, as herein directed, for the allocation and distribution of state funds, which may be appropriated to assist county school systems to meet additional costs of development and operation of such programs. The plans shall include, but need not be restricted to an analysis of existing program area deficiencies and the procedures for their correction. The plans shall be submitted to and be approved by the West Virginia board of education.

County plans shall include one or more of the following: (1) A plan to initiate comprehensive educational programs in any or all areas or parts of the curriculum, and provide necessary supporting services, or (2) A plan
to provide for the maintenance or extension of areas or parts of comprehensive educational programs developed or established under this act, or (3) A plan to give essential aid for instruction or supporting services for enrichment of curriculum in schools designated as isolated by the West Virginia board of education where consolidation of schools or the development of county comprehensive educational programs are not possible or feasible.

The state superintendent of schools shall provide assistance to counties in the development and preparation of their plans for a comprehensive educational program or programs in order to insure that every county may have the opportunity to fully participate and receive its maximum share of the funds available. All plans shall be submitted to the West Virginia board of education on or before the first day of July of the school year in which they are operative. The state superintendent of schools shall as soon as possible and before the first day of August each year notify any county whose plan fails to receive approval specifying the manner in which the plan fails to meet the criteria established and suggesting
the necessary corrections. If the county modifies its plan so that its program or programs become acceptable on or before the first day of September of that year, the county shall be entitled to receive the computed share of its allocation for which it is eligible under its approved plan.

The total potential cost of the comprehensive educational program for each county shall be determined prior to the first day of July by multiplying the applicable net enrollments at the close of the third month of the current school term by the following amounts: ten dollars for an adult in a public school program; ten dollars per senior high school student; seven dollars and fifty cents per junior high school student; and five dollars per elementary school student, including kindergarten. If the appropriation is not sufficient to provide for all counties their total potential costs as herein set forth, the allocation to all counties shall be reduced proportionately to secure a total which matches the appropriation.

Funds allocated to the counties shall be distributed to them annually not later than the first day of November
on the basis of net enrollment in approved programs which are part of their current comprehensive educational plan and the funds distributed shall be computed as provided herein.

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

If the county plans approved by the first day of September do not utilize the total allocations by reason of the plan or plans of one or more counties not requiring the full allocations or by failure of one or more counties to submit an acceptable plan or plans by the first day of September, then those moneys which were available
to such county or counties shall be declared by the state board of education to be excess funds. These excess funds shall be available for that year only for special distribution. All counties shall be eligible for additional moneys as a special distribution from excess funds if, and to the extent that, such county or counties approved plan or plans requires funds in excess of the amount allocated to each county on or before the first day of September: Provided, That no county may receive any funds in excess of its total potential cost as determined prior to the first day of July. If the moneys for which the counties are eligible from the special distribution of excess funds exceed the total amount available for such distribution, the special distribution to each county shall be reduced proportionately. It is the intention to distribute all excess funds, in any given year, on a pro rata basis to all counties who have approved comprehensive educational programs for that year and who have not received their total potential funds.

Appropriations for the purpose of this section shall be used only to meet the requirements of the allocation schedule and of approved county plans.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1965

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor