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WEST VIRGINIA LEGISLATURE

FIRST EXTRAORDINARY SESSION, 1971

ENROLLED

SENATE BILL NO. 4

(By Mr. Carryer)

PASSED April 28, 1971

In Effect Wm. C. Carryer Passage

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FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 4-30-71

ENROLLED

Senate Bill No. 4

(By MR. CARRIGAN)

[Passed April 28, 1971; in effect ninety days from passage.]

AN ACT to amend and reenact sections two, three, seven and eight, chapter one hundred seventy-six, acts of the Legislature, regular session, one thousand nine hundred forty-seven; and to further amend said chapter by adding thereto a new section, designated section ten, all relating to University high school, erected on the grounds of West Virginia University in Morgantown, Monongalia county, West Virginia, and providing that the West Virginia board of regents is authorized to transfer the property used for said high school to the board of education of the county of Monongalia for continued use for school purposes if the board of education should agree to assume all the duties, obliga-

tions and responsibilities of the board of regents in regard to said high school.

Be it enacted by the Legislature of West Virginia:

That sections two, three, seven and eight, chapter one hundred seventy-six, acts of the Legislature, regular session, one thousand nine hundred forty-seven, be amended and re-enacted; and that said chapter be further amended by adding thereto a new section, designated section ten, all to read as follows:

§2. Selection of name.

1 The name of the said high school shall be selected joint-
2 ly by the West Virginia board of regents and the board of
3 education of the county of Monongalia.

§3. Control and supervision.

1 The board of regents and any other controlling authori-
2 ties of the university, as provided by law, shall have
3 general control and supervision of the said high school
4 as a part of West Virginia University.

§7. Payment for maintenance and instruction.

1 The board of education of the county of Monongalia
2 shall pay for maintenance and instruction of pupils en-

3 rolled in the said high school a tuition fee of one half of
4 the average per capita cost for instruction and maintenance,
5 exclusive of transportation costs, in high schools of
6 West Virginia, as determined by the last preceding report
7 of the state superintendent of schools of West Virginia.
8 The board of regents and any other authorities of the university,
9 as provided by law, shall provide the remainder
10 of the cost of maintenance and instruction.

§8. Levy for buildings.

1 With the approval of the board of regents and any other
2 authorities provided by law, the board of education of
3 the county of Monongalia shall have the right to lay a levy
4 for the erection of such additions and buildings as may be
5 deemed necessary by all parties concerned to provide
6 adequate facilities for said high school.

§10. Lease of property; transfer of duties and responsibilities.

1 The board of regents and the board of education of
2 the county of Monongalia are hereby authorized to enter
3 into an agreement, not to become effective prior to July
4 one, one thousand nine hundred seventy-two, whereby
5 the board of regents shall lease for a term not to exceed

6 fifty years all of the property, real, personal and mixed,
7 used in the operation of said high school to the board of
8 education of the county of Monongalia in exchange for
9 the promise of the board of education to assume by the
10 end of two years all the duties, obligations and responsi-
11 bilities of the board of regents in regard to said high school
12 during the term of such lease.

13 If such an agreement is made by the two boards, the
14 board of regents is hereby authorized to execute all deeds
15 of lease and other instruments necessary to lease said
16 high school property. In case of any such lease, the as-
17 sumption of the duties, obligations and responsibilities by
18 the board of education shall include the obligation without
19 any contribution from the board of regents after two
20 years, to continue to use said property as and for a high
21 school, or other school purposes in Monongalia county for
22 the term of the lease unless it should later be of the
23 opinion that it is not in the best interests of the citizens of
24 such county to continue such use.

25 In case of any such lease and transfer of duties, obliga-
26 tions and responsibilities, the principal, teachers and

27 members of the clerical and custodial staffs of said high
28 school shall become the employees of the board of educa-
29 tion and shall have the same rights in regard to such em-
30 ployment, tenure and retirement benefits that they would
31 have had if they had been employed by the board of edu-
32 cation at the time they were employed by the board of
33 regents or its predecessors. For the purpose of computing
34 state aid for the board of education of the county of
35 Monongalia for the fiscal year beginning after any such
36 lease and transfer of duties, obligations and responsi-
37 bilities, the state board of school finance shall count all
38 instructional personnel in said high school as if they had
39 been employed solely by said board of education during
40 the preceding fiscal year.

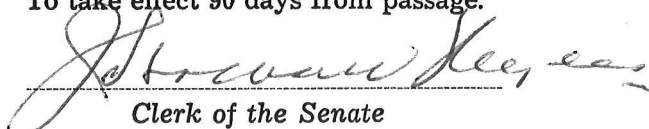
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee



Chairman House Committee

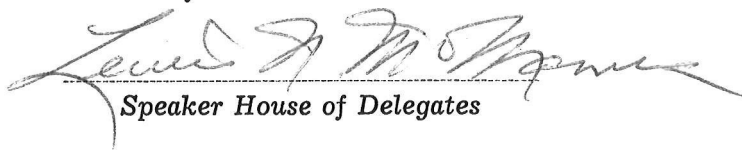
Originated in the Senate.

To take effect 90 days from passage.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within approved this the 29th
day of April, 1971.


Governor



PRESENTED TO THE
GOVERNOR

Date 4/29/71

Time 12:30 p.m.