

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1971

ENROLLED

SENATE BILL NO. 130

(By Mr. McCourt, Mr. President
and Mr. Palumbo)

PASSED MARCH 4 1971

In Effect NINETY DAYS FROM Passage



FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-15-71

130

ENROLLED

Senate Bill No. 130

(By MR. McCOURT, MR. PRESIDENT, and MR. PALUMBO)

[Passed March 4, 1971; in effect ninety days from passage.]

AN ACT to amend and reenact section fifteen, article five, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to ages of persons to which schools open.

Be it enacted by the Legislature of West Virginia:

That section fifteen, 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:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-15. School term; employment term; instructional term; extension of terms; levies; ages of persons to which schools are open.

1 The board shall provide a school term for its schools

2 which shall be comprised of (a) an employment term
3 for teachers, and (b) an instructional term for pupils.

4 The employment term for teachers shall be no less than
5 ten months, a month to be defined as twenty employment
6 days exclusive of Saturdays and Sundays: *Provided, That*
7 the board may contract with all or part of the personnel
8 for a longer term. The employment term shall be fixed
9 within such beginning and closing dates as established by
10 the state board: *Provided, however, That* the time be-
11 tween the beginning and closing dates does not exceed
12 forty-three weeks.

13 Within the employment term there shall be an instruc-
14 tional term for pupils of not less than one hundred
15 eighty nor more than one hundred eighty-five instruc-
16 tional days. Instructional and noninstructional activities
17 may be scheduled during the same employment day. The
18 instructional term shall start not later than the fifth
19 day of the employment term.

20 Noninstructional days in the employment term may be
21 used for curriculum development, preparation for open-
22 ing and closing of the instructional term, inservice and

23 professional training of teachers, teacher-pupil-parent
24 conferences, professional meetings and other related
25 activities.

26 Where the employment term overlaps a teacher's parti-
27 cipation in a summer institute or institution of higher
28 learning for the purpose of professional growth, the
29 teacher may substitute, with the approval of the county
30 superintendent, such participation for not more than four
31 of the noninstructional days of the employment term.

32 The board may extend the instructional term beyond
33 one hundred eighty-five instructional days provided the
34 employment term is extended an equal number of days.
35 If the state revenues and regular levies, as provided by
36 law, are insufficient to enable the board of education to
37 provide for the school term, the board may at any general
38 or special election, if petitioned by at least five percent of
39 the qualified voters in the district, submit the question of
40 additional levies to the voters. If at the election sixty
41 percent of the qualified voters cast their ballots in favor
42 of the additional levy, the board shall fix the term and
43 lay a levy necessary to pay the cost of the additional

44 term. The additional levy fixed by the election shall not
45 continue longer than five years without submission to
46 the voters. The additional rate shall not exceed by more
47 than one hundred percent the maximum school rate pre-
48 scribed by article eight, chapter eleven of the code, as
49 amended.

50 The public schools shall be open for the full instruc-
51 tional term to all persons who have attained the entrance
52 age as stated in section five, article two and section
53 eighteen, article five, chapter eighteen of this code:
54 *Provided*, That persons over the age of twenty-one may
55 enter only those programs or classes authorized by the
56 state board of education and deemed appropriate by the
57 county board of education conducting any such program
58 or class; *And provided further*: That authorization for
59 such programs or classes shall in no way serve to affect
60 or eliminate programs or classes offered by county boards
61 of education at the adult level for which fees are charged
62 to support such programs or classes.

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

Russell G. Biscoe
Chairman Senate Committee

Phyllis Rutledge
Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

Monica Meyers
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

Edmond
President of the Senate

Joe F. Boaisky
Speaker House of Delegates

The within *approved* this the *13th*
day of *March*, 1971.

Archie Starnes Jr.
Governor



PRESENTED TO THE
GOVERNOR

RECEIVED

Date 3/9/71

Time 1:45 p.m.

MAR 15 10 03 AM '71

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA