

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1972

ENROLLED

HOUSE BILL No. 540

(By Mrs. MERRITT)

PASSED FEBRUARY 23, 1972

In Effect JULY 1, 1972. Passage



FILED IN THE OFFICE
JOHN W. BRADFORD, IV
SECRETARY OF STATE
THIS DATE 3-1-72

540

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House Bill No. 540

(By MRS. MERRITT)

[Passed February 23, 1972; in effect July 1, 1972.]

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 length of instructional term.

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 whom 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
5 than ten months, a month to be defined as twenty em-
6 ployment days exclusive of Saturdays and Sundays:
7 *Provided*, That the board may contract with all or part
8 of the personnel for a longer term. The employment
9 term shall be fixed within such beginning and closing
10 dates as established by the state board: *Provided, how-*
11 *ever*, That the time between the beginning and closing
12 dates does not exceed forty-three weeks.

13 Within the employment term there shall be an instruc-
14 tional term for pupils of not less than one hundred eighty
15 nor more than one hundred eighty-five instructional
16 days. Instructional and noninstructional activities may
17 be scheduled during the same employment day. The
18 instructional term shall commence no earlier than
19 the first Tuesday following Labor Day and shall
20 terminate no later than the eighth day of June and
21 shall not cover a period greater than two hundred
22 seventy-eight calendar days.

23 Noninstructional days in the employment term may
24 be used for curriculum development, preparation for
25 opening and closing of the instructional term, in-service
26 and professional training of teachers, teacher-pupil-parent
27 conferences, professional meetings and other related
28 activities.

29 Where the employment term overlaps a teacher's par-
30 ticipation in a summer institute or institution of higher
31 learning for the purpose of professional growth, the
32 teacher may substitute, with the approval of the county
33 superintendent, such participation for not more than
34 four of the noninstructional days of the employment
35 term.

36 The board may extend the instructional term beyond
37 one hundred eighty-five instructional days provided the
38 employment term is extended an equal number of days.
39 If the state revenues and regular levies, as provided
40 by law, are insufficient to enable the board of education
41 to provide for the school term, the board may at any
42 general or special election, if petitioned by at least five
43 percent of the qualified voters in the district, submit
44 the question of additional levies to the voters. If at
45 the election sixty percent of the qualified voters cast
46 their ballots in favor of the additional levy, the board
47 shall fix the term and lay a levy necessary to pay the
48 cost of the additional term. The additional levy fixed
49 by the election shall not continue longer than five years
50 without submission to the voters. The additional rate
51 shall not exceed by more than one hundred percent
52 the maximum school rate prescribed by article eight,
53 chapter eleven of the code, as amended.

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

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

Fussell M. Beaulieu
Chairman Senate Committee

Phyllis R. Rutledge
Chairman House Committee

Originated in the House.

In Effect July 1, 1972.

Howard Carlson
Clerk of the Senate

J. A. Blankenship
Clerk of the House of Delegates

Ed Sproul
President of the Senate

Lewis R. McManus
Speaker House of Delegates

The within *approved* this the *29th*
day of *February*, 1972.

Arch A. Shaw, Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 2/25/72

Time 10:55 a.m.