

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1973

ENROLLED

SENATE BILL NO. 120

(By Mr. *Bratherton*, Mr. President,  
*and Mr. Nelson*)

PASSED April 13, 1973

In Effect 90 Day from Passage

FILED IN THE OFFICE  
EDGAR F. HEISKELL III  
SECRETARY OF STATE  
THIS DATE 5/3/73

120

## ENROLLED

### Senate Bill No. 120

(By Mr. Brotherton, Mr. President, and Mr. Nelson)

[Passed April 13, 1973; in effect ninety days from passage.]

AN ACT to amend and reenact section two, article five, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to closing of schools because of holidays, disease, weather or calamitous cause; compensation to school personnel for time lost because of such; special Saturday classes; provisions for meetings and workshops.

*Be it enacted by the Legislature of West Virginia:*

That section two, article five, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

#### ARTICLE 5. AUTHORITY; RIGHTS; RESPONSIBILITY.

##### §18A-5-2. Holidays; closing of schools; time lost because of such; special Saturday classes.

1 Schools shall not be kept open on any Saturday nor  
2 on the following days which are designated as legal  
3 school holidays, namely: Independence Day, Labor  
4 Day, Veterans Day, Thanksgiving Day, Christmas Day,  
5 New Year's Day, Memorial Day and any day on which  
6 a primary election, general election or special election  
7 is held throughout the state or school district and any  
8 day appointed and set apart by the president or the  
9 governor as a holiday of special observance by the  
10 people of the state. When any such holiday falls within  
11 the employment term, it shall be considered as a day of

12 the employment term and the full-time school person-  
13 nel shall receive his pay for same. When any of the  
14 above designated holidays, except a special election,  
15 falls on Saturday, the schools shall be closed on the  
16 preceding Friday; when any such falls on Sunday, the  
17 schools shall be closed on the following Monday.

18 Special classes may be conducted on Saturdays, pro-  
19 vided they are conducted on a voluntary basis, for  
20 pupils and by teachers and service personnel, and that  
21 such teachers and service personnel shall be remunerat-  
22 ed in ratio to the regularly contracted pay.

23 Any school or schools may be closed by proper  
24 authorities on account of the prevalence of contagious  
25 disease, conditions of weather or any other calamitous  
26 cause over which the board has no control. Under any  
27 or all of the above provisions, the time lost by the clos-  
28 ing of schools shall be counted as days of employment  
29 and as meeting a part of the requirements of the mini-  
30 mum term of one hundred eighty days of instruction.  
31 On such day or days, county boards of education may  
32 provide appropriate alternate work schedules for pro-  
33 fessional, auxiliary and service personnel affected by  
34 the closing of any school or schools under any or all  
35 of the above provisions. Professional, auxiliary and  
36 service personnel shall receive pay the same as if  
37 school were in session. Insofar as funds are available  
38 or can be made available during the school year, the  
39 board may extend the employment term for the pur-  
40 pose of making up time that might affect the instruc-  
41 tional term.

42 In addition to any other provisions of this chapter,  
43 the board is further authorized to provide in its annual  
44 budget for meetings, workshops, vacation time or  
45 other holidays through extended employment of per-  
46 sonnel at the same rate of pay.

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

*H. Darrel Darby*  
Chairman Senate Committee

*Clarence C. Christensen Jr.*  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Harold W. Carson*  
Clerk of the Senate

*A. Blankenship*  
Clerk of the House of Delegates

*W. T. Brotherton Jr.*  
President of the Senate

*Lewis J. Williams*  
Speaker House of Delegates

The within *approved* this the *27th*  
day of *April*, 1973.

*Auk A. Shaefer Jr.*  
Governor

PRESENTED TO THE  
GOVERNOR

Date 4/27/73

Time 10:39 a.m.

RECEIVED

MAY 3 9 34 AM '73

OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA