WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973

ENROLLED
SENATE BILL NO. 120

(By Mr. [Name Redacted] Mr. President
And Mr. Nelson)

PASSED _____ April 13, _____ 1973

In Effect 90 Days from Passage

FILED IN THE OFFICE
EDGAR F. HEISKELL III
SECRETARY OF STATE
THIS DATE 5/2/73
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
the employment term and the full-time school personnel shall receive his pay for same. When any of the above designated holidays, except a special election, falls on Saturday, the schools shall be closed on the preceding Friday; when any such falls on Sunday, the schools shall be closed on the following Monday.

Special classes may be conducted on Saturdays, provided they are conducted on a voluntary basis, for pupils and by teachers and service personnel, and that such teachers and service personnel shall be remunerated in ratio to the regularly contracted pay.

Any school or schools may be closed by proper authorities on account of the prevalence of contagious disease, conditions of weather or any other calamitous cause over which the board has no control. Under any or all of the above provisions, the time lost by the closing of schools shall be counted as days of employment and as meeting a part of the requirements of the minimum term of one hundred eighty days of instruction. On such day or days, county boards of education may provide appropriate alternate work schedules for professional, auxiliary and service personnel affected by the closing of any school or schools under any or all of the above provisions. Professional, auxiliary and service personnel shall receive pay the same as if school were in session. Insofar as funds are available or can be made available during the school year, the board may extend the employment term for the purpose of making up time that might affect the instructional term.

In addition to any other provisions of this chapter, the board is further authorized to provide in its annual budget for meetings, workshops, vacation time or other holidays through extended employment of personnel at the same rate of pay.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

W. Darrel Derby  
Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Howard W. Reason  
Clerk of the Senate

Clerk of the House of Delegates

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

Speaker House of Delegates

The within approved this the 21st day of April, 1973.

A. A. James, Jr.  
Governor