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STATE OF WEST VIRGINIA

**WEST VIRGINIA LEGISLATURE**  
**REGULAR SESSION, 1975**

— ● —

**ENROLLED**

*Committee Substitute for*  
**HOUSE BILL No. 695**

(By Mrs. *Spears* and Mr. *Lohr*.....)

— ● —

PASSED *March 8,*..... 1975

In Effect *ninety days from*..... Passage



*695*

**ENROLLED**

**COMMITTEE SUBSTITUTE**

**FOR**

**H. B. 695**

**(By MRS. SPEARS and MR. LOHR)**

[Passed March 8, 1975; in effect ninety days from passage.]

AN ACT to amend and reenact sections one-b, one-c and four, article five, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to county boards of education; election; terms of office; organization of board; meetings.

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

That sections one-b, one-c and four, 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:

~~That section one-b, 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.**

**§18-5-1b. Election; terms of office.**

- 1 At the primary election in the year one thousand nine
- 2 hundred seventy-six, one member shall be elected for a term
- 3 of five and one-half years; at the primary election in the year
- 4 one thousand nine hundred seventy-eight, two members shall

5 be elected for a term of five and one-half years; and at the  
6 primary election in the year one thousand nine hundred eighty,  
7 two members shall be elected for a term of five and one-half  
8 years. The terms of the members so elected shall begin on the  
9 first day of January of the year subsequent to their election.

10 As the terms provided above expire, members shall be  
11 elected for six-year terms at the time of each regular primary  
12 election thereafter. The terms of such members shall begin  
13 on the first day of July next following the primary election at  
14 which they were elected.

15 The term of office of any member of any county board of  
16 education shall immediately cease, and a vacancy shall exist,  
17 upon occurrence of ineligibility as prescribed in section one-a  
18 (§18-5-1a) of this article.

19 This section, shall in no manner be construed so as to affect  
20 the unexpired terms of county school board members who hold  
21 office or were elected under prior existing law, except that the  
22 term of office for which they were elected shall expire on the  
23 thirty-first day of December next following the primary election  
24 at which their successors in office were elected.

**§18-5-1c. Organization of board.**

1 On the first Monday of January, following each biennial  
2 primary election, each respective board of education shall  
3 organize and elect for a two-year term, a president from its  
4 own membership and report same promptly to the state  
5 superintendent of schools: *Provided*, That on the first Mon-  
6 day of January, one thousand nine hundred eighty-one, each  
7 respective board of education shall elect a president for  
8 a term to expire the thirtieth day of June, one thousand  
9 nine hundred eighty-two: *Provided, however*, That on the  
10 first Monday of July, following the primary election in the  
11 year one thousand nine hundred eighty-two and each biennial  
12 primary election thereafter, each respective board of edu-  
13 cation shall organize and elect for a two year term, a president  
14 from its own membership and report same promptly to the  
15 state superintendent of schools.

**§18-5-4. Meetings; quorum; employment and assignment of teachers; compensation of members; affiliation with state and national associations; dues and traveling expenses.**

1 The board shall meet on the first Monday of January,  
2 except that in the year one thousand nine hundred eighty-two  
3 and every year thereafter, the board shall meet on the first  
4 Monday of July, and upon the dates provided by law for the  
5 laying of levies, and at such other times as the board may  
6 fix upon its records. At any meeting as authorized above  
7 and in compliance with the provisions of article four of  
8 this chapter, the board may employ such qualified teachers,  
9 or those who will qualify by the time of entering upon their  
10 duties, necessary to fill existing or anticipated vacancies  
11 for the current or next ensuing school year. At a meeting  
12 of the board, on or before the first Monday of May, the  
13 superintendent shall furnish in writing to the board a list  
14 of those teachers to be considered for transfer and subsequent  
15 assignment for the next ensuing school year; all other teachers  
16 not so listed shall be considered as reassigned to the positions  
17 held at the time of this meeting. Such list of those recom-  
18 mended for transfer shall be included in the minute record and  
19 the teachers so listed shall be notified in writing, which notice  
20 shall be delivered in writing, by certified mail, return receipt  
21 requested, to such teachers' last-known addresses within ten  
22 days following said board meeting, of their having been so  
23 recommended for transfer and subsequent assignment.

24 Special meetings may be called by the president or any  
25 three members, but no business shall be transacted other  
26 than that designated in the call.

27 A majority of the members shall constitute the quorum  
28 necessary for the transaction of official business.

29 Board members may receive compensation at a rate not to  
30 exceed forty dollars per meeting attended. But they shall  
31 not receive pay for more than thirty-six meetings in any one  
32 fiscal year.

33 Members shall also be paid, upon the presentation of an  
34 itemized sworn statement, for all necessary traveling expenses,

35 including all authorized meetings, incurred on official business,  
36 at the order of the board.

37 When, by a majority vote of its members, a county board  
38 of education deems it a matter of public interest, such board  
39 may join the West Virginia school board association and  
40 the national school board association, and may pay such  
41 dues as may be prescribed by said associations and approved  
42 by action of the respective county boards. Membership dues  
43 and actual traveling expenses of board members for attending  
44 meetings of the West Virginia school board association may  
45 be paid by their respective county boards of education out  
46 of funds available to meet actual expenses of the members,  
47 but no allowance shall be made except upon sworn itemized  
48 statements.

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

James L. Davis  
Chairman Senate Committee

Clarence C. Christman  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. D. Dillon Jr  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

W. B. Robertson  
President of the Senate

Lewis F. H. Mansur  
Speaker House of Delegates

The within Approved this the 22<sup>nd</sup>  
March day of \_\_\_\_\_, 1975.

Richard S. Royster Jr.  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3/19/75

Time 4:10 p.m.