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
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:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-1b. Election; terms of office.

1 At the primary election in the year one thousand nine hundred seventy-six, one member shall be elected for a term of five and one-half years; at the primary election in the year one thousand nine hundred seventy-eight, two members shall
be elected for a term of five and one-half years; and at the primary election in the year one thousand nine hundred eighty, two members shall be elected for a term of five and one-half years. The terms of the members so elected shall begin on the first day of January of the year subsequent to their election.

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

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

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

§18-5-1c. Organization of board.

On the first Monday of January, following each biennial primary election, each respective board of education shall organize and elect for a two-year term, a president from its own membership and report same promptly to the state superintendent of schools: Provided, That on the first Monday of January, one thousand nine hundred eighty-one, each respective board of education shall elect a president for a term to expire the thirtieth day of June, one thousand nine hundred eighty-two: Provided, however, That on the first Monday of July, following the primary election in the year one thousand nine hundred eighty-two and each biennial primary election thereafter, each respective board of education shall organize and elect for a two year term, a president from its own membership and report same promptly to the 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, except that in the year one thousand nine hundred eighty-two and every year thereafter, the board shall meet on the first Monday of July, and upon the dates provided by law for the laying of levies, and at such other times as the board may fix upon its records. At any meeting as authorized above and in compliance with the provisions of article four of this chapter, the board may employ such qualified teachers, or those who will qualify by the time of entering upon their duties, necessary to fill existing or anticipated vacancies for the current or next ensuing school year. At a meeting of the board, on or before the first Monday of May, the superintendent shall furnish in writing to the board a list of those teachers to be considered for transfer and subsequent assignment for the next ensuing school year; all other teachers not so listed shall be considered as reassigned to the positions held at the time of this meeting. Such list of those recommended for transfer shall be included in the minute record and the teachers so listed shall be notified in writing, which notice shall be delivered in writing, by certified mail, return receipt requested, to such teachers’ last-known addresses within ten days following said board meeting, of their having been so recommended for transfer and subsequent assignment.

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

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

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

33 Members shall also be paid, upon the presentation of an itemized sworn statement, for all necessary traveling expenses,
including all authorized meetings, incurred on official business, at the order of the board.

When, by a majority vote of its members, a county board of education deems it a matter of public interest, such board may join the West Virginia school board association and the national school board association, and may pay such dues as may be prescribed by said associations and approved by action of the respective county boards. Membership dues and actual traveling expenses of board members for attending meetings of the West Virginia school board association may be paid by their respective county boards of education out of funds available to meet actual expenses of the members, but no allowance shall be made except upon sworn itemized statements.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis  
Chairman Senate Committee

Clarence E. Chastain  
Chairman House Committee

Originated in the House.
Takes effect ninety days from passage.

J. Dillon Jr.  
Clerk of the Senate

W. Blankenship  
Clerk of the House of Delegates

J. B. McDowell  
President of the Senate

Lewis F. R. Mann  
Speaker House of Delegates

The within ______ approved_______ this the _______  
day of ________, 1975.

Andra. Tawny Jr.  
Governor
PRESENTED TO THE GOVERNOR

Date 3/19/75
Time 4:10 p.m.