

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-28-79

Time 7:30 p.m.

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1979

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ENROLLED

Committee Substitute for
HOUSE BILL No. 859

(By Mr. Harden)

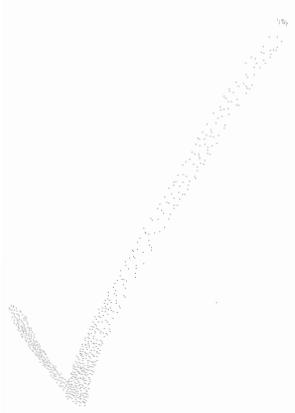
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Passed March 10, 1979

In Effect Ninety Days From Passage



No. 859



ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 859

(By MR. HARDEN)

[Passed March 10, 1979; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article five, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to requiring a public hearing to be held on the preliminary operating budget of a county board of education, and requiring notice of the hearing to be published.

Be it enacted by the Legislature of West Virginia:

That section 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.

§18-5-4. Meetings; quorum; employment and assignment of teachers; public hearing concerning preliminary operating budget; publication of notice thereof; 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 and in
7 compliance with the provisions of article four of this chapter,
8 the board may employ such qualified teachers, or those who
9 will qualify by the time of entering upon their duties, neces-
10 sary to fill existing or anticipated vacancies for the current
11 or next ensuing school year. At a meeting of the board, on or
12 before the first Monday of May, the superintendent shall
13 furnish in writing to the board a list of those teachers to be
14 considered for transfer and subsequent assignment for the
15 next ensuing school year; all other teachers not so listed shall be
16 considered as reassigned to the positions held at the time of
17 this meeting. Such list of those recommended for transfer
18 shall be included in the minute record and the teachers so
19 listed shall be notified in writing, which notice shall be de-
20 livered in writing, by certified mail, return receipt requested,
21 to such teachers' last-known addresses within ten days fol-
22 lowing said board meeting, of their having been so recom-
23 mended 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 than
26 that designated in the call.

27 In addition, a public hearing shall be held concerning the
28 preliminary operating budget for the next fiscal year not
29 less than ten days after such budget has been made available to
30 the public for inspection and within a reasonable time prior
31 to the submission of said budget to the West Virginia board of
32 education for approval and at such hearing reasonable time
33 shall be granted to any person or persons who wish to speak
34 regarding parts or all of such budget. Notice of such hearing
35 shall be published as a Class I legal advertisement in compli-
36 ance with the provisions of article three, chapter fifty-nine of
37 this code.

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

40 Board members may receive compensation at a rate not to
41 exceed forty dollars per meeting attended. But they shall not

42 receive pay for more than thirty-six meetings in any one fiscal
43 year.

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

48 When, by a majority vote of its members, a county board
49 of education deems it a matter of public interest, such board
50 may join the West Virginia school board association and
51 the national school board association, and may pay such dues
52 as may be prescribed by said associations and approved by
53 action of the respective county boards. Membership dues and
54 actual traveling expenses of board members for attending
55 meetings of the West Virginia school board association may
56 be paid by their respective county boards of education out of
57 funds available to meet actual expenses of the members,
58 but no allowance shall be made except upon sworn itemized
59 statements.

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

James L. Davis
Chairman Senate Committee

Clarence C. Christensen
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. D. Wilson, Jr.
Clerk of the Senate

V. A. Blankenship
Clerk of the House of Delegates

J. C. Bodden, Jr.
President of the Senate

Hyde H. See, Jr.
Speaker House of Delegates

The within is approved this the 20th
day of March, 1979.

John P. Ralston
Governor

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OFFICE OF THE GOVERNOR

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REG. OF STATE