

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-28-81

Time _____

No: 1355

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981



ENROLLED

HOUSE BILL No. 1355

(By Mr. Tucker + Mr. Doff)



Passed April 10, 1981

In Effect July 1, 1981 ~~Passage~~



ENROLLED

H. B. 1355

(By MR. TUCKER and MR. GOFF)

[Passed April 10, 1981; in effect July 1, 1981.]

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 meetings of the county board of education; employment of teachers; public hearing concerning budget; publication of notice; compensation of members.

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, ex-
2 cept 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 fix
6 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, necessary

10 to fill existing or anticipated vacancies for the current or next
11 ensuing school year. At a meeting of the board, on or before
12 the first Monday of May, the superintendent shall furnish in
13 writing to the board a list of those teachers to be considered
14 for transfer and subsequent assignment for the next ensuing
15 school year; all other teachers not so listed shall be considered
16 as reassigned to the positions held at the time of this meeting.
17 Such list of those recommended for transfer shall be included
18 in the minute record and the teachers so listed shall be notified
19 in writing, which notice shall be delivered in writing, by certi-
20 fied mail, return receipt requested, to such teachers' last-known
21 addresses within ten days following said board meeting, of their
22 having been so recommended for transfer and subsequent
23 assignment.

24 Special meetings may be called by the president or any three
25 members, but no business shall be transacted other than that
26 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 less
29 than ten days after such budget has been made available to the
30 public for inspection and within a reasonable time prior to
31 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 com-
36 pliance 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 fifty-two meetings in any one
43 fiscal 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 busi-
47 ness, 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 the
51 national school board association, and may pay such dues as
52 may be prescribed by said associations and approved by action
53 of the respective county boards. Membership dues and actual
54 traveling expenses of board members for attending meetings
55 of the West Virginia school board association may be paid by
56 their respective county boards of education out of funds avail-
57 able to meet actual expenses of the members, but no allowance
58 shall be made except upon sworn itemized statements.

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

R. P. Bayler

Chairman Senate Committee

Jonny E. Whitlow

Chairman House Committee

Originated in the House.

Takes effect July 1, 1981.

Judd C. Willis

Clerk of the Senate

W. Blankenship

Clerk of the House of Delegates

Wm. R. Roan

President of the Senate

Walter H. Bell, Jr.

Speaker House of Delegates

The within is approved this the 20
day of April, 1981.

John A. Roper

Governor

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OFFICE OF THE GOVERNOR