

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-28-81

Time \_\_\_\_\_

## WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981

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# ENROLLED

*Committee Substitute for*

SENATE BILL NO. 205

(By Mr. Nelson)

—•—

PASSED April 10, 1981

In Effect ninety days from Passage

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No: 205

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**Senate Bill No. 205**  
(MR. NELSON, *original sponsor*)

[Passed April 10, 1981; in effect ninety days from passage.]

AN ACT to amend and reenact section eighteen-a, article five, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, establishing maximum teacher-pupil ratio of one to twenty-five per classroom in grades four through six by the school year one thousand nine hundred eighty-three—eighty-four, and authorizing state superintendent of schools to grant exemptions from such requirement under certain conditions; promulgation of rules and regulations by the state board of education.

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

That section eighteen-a, 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.**

**§18-5-18a. Maximum teacher-pupil ratio per classroom to be established by school year 1983-1984; exemptions; rules and regulations.**

1 County boards of education shall provide, by the school  
2 year one thousand nine hundred eighty-three—eight-four,  
3 and continue thereafter, sufficient personnel, equipment and  
4 facilities as will ensure that each first, second, third, fourth,  
5 fifth and sixth grade classroom or classrooms for two or more  
6 grades, including one or more of the first, second, third,

7 fourth, fifth and sixth grades, shall not have more than  
8 twenty-five pupils for each teacher of the grade or, grades.  
9 County boards of education shall also provide by the school  
10 year one thousand nine hundred eighty-three—eighty-four  
11 and thereafter, sufficient personnel, equipment and facilities  
12 as will ensure that there will not be more than twenty pupils  
13 in each kindergarten session in any given school situation:  
14 *Provided*, That in the school year one thousand nine hundred  
15 eighty-three—eighty-four, upon application of a county board  
16 of education to the state superintendent, and approval thereof  
17 by the state superintendent, as to each specific classroom for  
18 which the application is made, a county board may maintain  
19 the classroom, equipment and teacher for more than  
20 twenty-five pupils in grades one through three, or for more  
21 than twenty pupils in kindergarten: *Provided, however*, That  
22 in the school year one thousand nine hundred  
23 eighty-three—eighty-four and thereafter, the state  
24 superintendent is authorized, consistent with sound  
25 educational policy, (a) to permit on a statewide basis in grades  
26 four through six, more than twenty-five pupils per teacher in  
27 a classroom for the purposes of instruction in music and  
28 physical education, and (b) to permit more than twenty-five  
29 pupils per teacher in a classroom in grades four through six  
30 during a school year in the event of extraordinary  
31 circumstances as determined by the state superintendent  
32 after application by a county board of education during such  
33 year.

34 The state board of education shall promulgate rules and  
35 regulations defining and setting forth what constitutes  
36 extraordinary circumstances as used in this section.

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

*R. P. Bayler*  
Chairman Senate Committee

*Tony E. Whitlow*  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Todd C. Wicks*  
Clerk of the Senate

*W. Blankenship*  
Clerk of the House of Delegates

*Monroe R. Rosen*  
President of the Senate

*Hyde H. Lee, Jr.*  
Speaker House of Delegates

The within is approved this the 28

day of April, 1981.

*John M. Rye*  
Governor

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SECY.