ENROLLED

Committee Substitute for
SENATE BILL NO. 205

(By Mr. Nelson)

PASSED April 10, 1981

In Effect
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.

County boards of education shall provide, by the school year one thousand nine hundred eighty-three-eighty-four, and continue thereafter, sufficient personnel, equipment and facilities as will ensure that each first, second, third, fourth, fifth and sixth grade classroom or classrooms for two or more grades, including one or more of the first, second, third,
fourth, fifth and sixth grades, shall not have more than
twenty-five pupils for each teacher of the grade or grades.
County boards of education shall also provide by the school
year one thousand nine hundred eighty-three—eighty-four
and thereafter, sufficient personnel, equipment and facilities
as will ensure that there will not be more than twenty pupils
in each kindergarten session in any given school situation:
Provided, That in the school year one thousand nine hundred
eighty-three—eighty-four, upon application of a county board
of education to the state superintendent, and approval thereof
by the state superintendent, as to each specific classroom for
which the application is made, a county board may maintain
the classroom, equipment and teacher for more than
twenty-five pupils in grades one through three, or for more
than twenty pupils in kindergarten: Provided, however, That
in the school year one thousand nine hundred
eighty-three—eighty-four and thereafter, the state
superintendent is authorized, consistent with sound
educational policy, (a) to permit on a statewide basis in grades
four through six, more than twenty-five pupils per teacher in
a classroom for the purposes of instruction in music and
physical education, and (b) to permit more than twenty-five
pupils per teacher in a classroom in grades four through six
during a school year in the event of extraordinary
circumstances as determined by the state superintendent
after application by a county board of education during such
year.
The state board of education shall promulgate rules and
regulations defining and setting forth what constitutes
extraordinary circumstances as used in this section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor