WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1982

ENROLLED

HOUSE BILL No. 2026

(By Mr. Blackwell McElroy)

Passed March 12, 1982

In Effect July 1, 1982 Passage
ENROLLED

H. B. 2026

(By Mr. Blackwell and Mr. Givens)

[Passed March 12, 1982; in effect July 1, 1982.]

AN ACT to amend and reenact section fifteen, article five, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to county boards of education; deleting the requirement that the instructional term shall be confined to two hundred seventy-eight calendar days; providing that each county board may schedule a maximum of four days to be used by the employee outside the school environment.

Be it enacted by the Legislature of West Virginia:

That section fifteen, 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.

§18-5-15. School term; levies; ages of persons to whom schools are open.

1 The board shall provide a school term for its schools which shall be comprised of (a) an employment term for teachers, and (b) an instructional term for pupils.

4 The employment term for teachers shall be no less than ten months, a month to be defined as twenty employment days exclusive of Saturdays and Sundays: Provided, That the board may contract with all or part of the personnel for a longer
The employment term shall be fixed within such beginning and closing dates as established by the state board: Provided, however, That the time between the beginning and closing dates does not exceed forty-three weeks.

Within the employment term there shall be an instructional term for pupils of not less than one hundred eighty nor more than one hundred eighty-five instructional days. Instructional and noninstructional activities may be scheduled during the same employment day. The instructional term shall commence no earlier than the first day of September and shall terminate no later than the eighth day of June.

Noninstructional days in the employment term may be used for making up canceled instructional days, curriculum development, preparation for opening and closing of the instructional term, in-service and professional training of teachers, teacher-pupil-parent conferences, professional meetings and other related activities. In addition, each board may designate and schedule for teachers and service personnel a maximum of four days to be used by the employee outside the school environment. However, no more than seven noninstructional days, except holidays, may be scheduled prior to the first day of January in a school term.

Notwithstanding any other provisions of the law to the contrary, if the board has canceled instructional days equal to the difference between the total instructional days scheduled and one hundred seventy-eight, each succeeding instructional day canceled shall be rescheduled, utilizing only the remaining non-instructional days, except holidays, following such cancellation, which are available prior to the second day before the end of the employment term established by such county board.

Where the employment term overlaps a teacher's participation in a summer institute or institution of higher learning for the purpose of professional growth, the teacher may substitute, with the approval of the county superintendent, such participation for not more than four of the noninstructional days of the employment term.

The board may extend the instructional term beyond one hundred eighty-five instructional days provided the employment
term is extended an equal number of days. If the state revenues
and regular levies, as provided by law, are insufficient to en-
able the board of education to provide for the school term,
the board may at any general or special election, if petitioned
by at least five percent of the qualified voters in the district,
submit the question of additional levies to the voters. If at the
election sixty percent of the qualified voters cast their ballots
in favor of the additional levy, the board shall fix the term and
lay a levy necessary to pay the cost of the additional term. The
additional levy fixed by the election shall not continue longer
than five years without submission to the voters. The additional
rate shall not exceed by more than one hundred percent the
maximum school rate prescribed by article eight, chapter eleven
of the code, as amended.

The public schools shall be open for the full instructional
term to all persons who have attained the entrance age as
stated in section five, article two and section eighteen, article
five, chapter eighteen of this code: Provided, That persons
over the age of twenty-one may enter only those programs or
classes authorized by the state board of education and deemed
appropriate by the county board of education conducting any
such program or class: Provided, however, That authorization
for such programs or classes shall in no way serve to affect or
eliminate programs or classes offered by county boards of
education at the adult level for which fees are charged to sup-
port such programs or classes.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originating in the House.

Takes effect July 1, 1982.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within approved this the 30

day of March, 1982.

[Signature]
Governor