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APPROVED AND SIGNED BY THE GOVERNOR

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Date 3-29-83

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983



ENROLLED

Committee Substitute for
SENATE BILL NO. 591

(By Mr. *Antovich, et al.*)



PASSED March 12, 1983

In Effect July 1, 1983 ~~Page~~



ENROLLED
COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 591

(MR. TONKOVICH AND MR. NELSON, *original sponsors*)

[Passed March 12, 1983; in effect July 1, 1983.]

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, relating to maximum teacher-pupil ratio; delaying by one year the ratio limit for grades three through six; limiting the number of classrooms with two or more grades; and providing for exceptions to the teacher-pupil ratio and limitations thereto.

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 BOARDS OF EDUCATION.

§18-5-18a. Maximum teacher-pupil ratio.

1 County boards of education shall provide, by the school
2 year one thousand nine hundred eighty-three—eighty-
3 four, and continue thereafter, sufficient personnel, equip-
4 ment and facilities as will ensure that each first and
5 second grade classroom, or classrooms having two or
6 more grades that include either the first or second grades,
7 shall not have more than twenty-five pupils for each
8 teacher of the grade or grades and shall not have more
9 than twenty pupils for each kindergarten teacher per
10 session, unless the state superintendent has excepted a

11 specific classroom upon application therefor by a county
12 board of education.

13 County boards of education shall provide by the school
14 year one thousand nine hundred eighty-four—eighty-
15 five, and continue thereafter, sufficient personnel, equip-
16 ment and facilities as will ensure that each third, fourth,
17 fifth and sixth grade classroom, or classrooms having
18 two or more grades that include one or more of the
19 third, fourth, fifth and sixth grades, shall not have more
20 than twenty-five pupils for each teacher of the grade or
21 grades.

22 Beginning with the school year one thousand nine
23 hundred eighty-six—eighty-seven and thereafter, no
24 county shall maintain a greater number of classrooms
25 having two or more grades that include one or more of
26 the grade levels referred to in this section than were in
27 existence in said county as of the first day of January,
28 one thousand nine hundred eighty-three: *Provided*, That
29 for the prior school years and only if there is insufficient
30 classroom space available in the school or county, a
31 county may maintain one hundred ten percent of such
32 number of classrooms.

33 During the school year one thousand nine hundred
34 eighty-four—eighty-five, and thereafter, the state super-
35 intendent is authorized, consistent with sound educational
36 policy, (a) to permit on a statewide basis in grades four
37 through six, more than twenty-five pupils per teacher
38 in a classroom for the purposes of instruction in music
39 and physical education, and (b) to permit more than
40 twenty pupils per teacher in a specific kindergarten
41 classroom and twenty-five pupils per teacher in a specific
42 classroom in grades one through six during a school year
43 in the event of extraordinary circumstances as determined
44 by the state superintendent after application by a county
45 board of education.

46 The state board of education shall establish guidelines
47 for the exceptions authorized in this section, but in no
48 event shall the superintendent except classrooms having
49 more than three pupils above the teacher-pupil ratio as
50 set forth in this section.

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

Harrell C. Holman
Chairman Senate Committee

Donald Anello
Chairman House Committee

Originated in the Senate.

In effect July 1, 1983.

Todd C. Hanks
Clerk of the Senate

Donald L. Gapp
Clerk of the House of Delegates

Walter P. McSwain
President of the Senate

Walter G. See, Jr.
Speaker House of Delegates

The within *is approved* this the *29*
day of *March*, 1983.

Paul R. Ryan
Governor

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