

No: 253 ✓

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1985

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ENROLLED

SENATE BILL NO. 253

(By Mr. White)

—•—

PASSED April 13 1985

In Effect ninety days from Passage



ENROLLED
Senate Bill No. 253

(BY MR. WHITE)

[Passed April 13, 1985; 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, relating to exempting classrooms used for instruction in choral, band or orchestra music from the maximum teacher-pupil ratio.

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.

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

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

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

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

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

49 No provision of this section is intended to limit the
50 number of pupils per teacher in a classroom for the purpose
51 of instruction in choral, band or orchestra music.

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

Harrell E. Adams
.....
Chairman Senate Committee

Floyd Fuller
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Ludd C. Steller
.....
Clerk of the Senate

Donald L. Kopp
.....
Clerk of the House of Delegates

Sam Tenkari
.....
President of the Senate

Joseph P. Allright
.....
Speaker House of Delegates

The within *approved* this the *1st*
May
day of 1985.

Rich. A. France, Jr.
.....
Governor

PRESENTED TO THE
GOVERNOR

Date 4/19/85
Time 8:12 p.m.

RECEIVED

1985 MAY -2 PM 3:18

OFFICE OF MISS VIRGINIA
SECRETARY OF STATE