

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2005

ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 2578

(By Delegates Williams, Crosier and Sumner)

Passed April 9, 2005

In Effect July 1, 2005

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COMMITTEE SUBSTITUTE

FOR

H. B. 2578

(BY DELEGATES WILLIAMS, CROSIER AND SUMNER)

[Passed April 9, 2005; in effect July 1, 2005.]

AN ACT to repeal §18-2E-3e of the Code of West Virginia, 1931, as amended; and to amend and reenact §18-9A-5a and §18-9A-5b of said code, all relating to repealing section creating the West Virginia Science Education Enhancement Initiative Grant Program; increasing the ratios of professional and service personnel to students in net enrollment; establishing the ratios for certain school years; and making certain findings; stating legislative intent to examine state basic foundation program and address staffing and other needs as indicated by examination.

Be it enacted by the Legislature of West Virginia:

That §18-2E-3e of the Code of West Virginia, 1931, as amended, be repealed; and that §18-9A-5a and §18-9A-5b of said code be amended and reenacted, all to read as follows:

ARTICLE 9A. PUBLIC SCHOOL SUPPORT.

§18-9A-5a. Ratio of foundation allowances for professional educators and service personnel to net enrollment.

1 (a) The purpose of this section is to establish maximum
 2 ratios between the numbers of professional educators and
 3 service personnel in the counties which are funded through the
 4 public school support plan and the net enrollment in the
 5 counties. These ratios are in addition to the ratios provided in
 6 sections four and five of this article. It is the intent of the
 7 Legislature to adjust these ratios pursuant to legislative act as
 8 may be appropriate when additional personnel are needed to
 9 perform additional duties.

10 (b) Beginning on the first day of July, two thousand five,
 11 and each school year thereafter, in computing the basic founda-
 12 tion allowance to a county for professional educators and the
 13 basic foundation allowance to a county for service personnel
 14 under sections four and five of this article, a county shall not
 15 receive an allowance for these personnel which number per one
 16 thousand students in net enrollment is in excess of the number
 17 of professional educators and the number of service personnel
 18 in the county computed as follows:

19 20 21 22 23 24 25 26 27	Maximum professional		Maximum service	
	educators per 1000		personnel per 1000	
	students in		students in	
For the	net enrollment		net enrollment	
school	High density	Low density	High density	Low density
year	County	County	County	County
25 2005-2006	74.10	74.20	43.73	44.69
26 2006-2007	74.20	74.40	43.85	44.89
27 and thereafter	74.30	74.60	43.97	45.10

28 (c) Every county shall use methods other than reductions in
 29 force, such as attrition and early retirement, before implement-

30 ing their reductions in force policy to comply with the limita-
31 tions of this section.

**§18-9A-5b. Foundation allowance for increasing professional and
service personnel positions.**

1 (a) Commencing with the school year beginning on the first
2 day of July, two thousand five, two million five hundred
3 thousand dollars shall be appropriated for the purpose of
4 increasing the ratios of professional and service personnel per
5 one thousand students in net enrollment. For each of the eleven
6 following school years, an additional two million five hundred
7 thousand dollars shall be added to the appropriation for this
8 purpose.

9 (b) The Legislature finds that the state basic foundation
10 program initially was enacted during the regular session of the
11 Legislature, one thousand nine hundred seventy-one, as a
12 seven-step formula driven largely by student enrollment.
13 Although it has been amended many times over the intervening
14 years to effect program improvements, respond to changing
15 enrollment patterns and accommodate budgetary priorities, it
16 remains a formula driven primarily by student enrollment. As
17 such, the state basic foundation program has been credited with
18 providing base level funding from the state which is very
19 equitable on a per student basis among the county school
20 systems. However, the intervening years also have seen
21 substantial changes in the educational environment, the most
22 profound of which include the decline in student enrollment
23 from about four hundred four thousand students when the state
24 basic foundation program was created to about two hundred
25 seventy-eight thousand students in the two thousand five school
26 year, the growth of technology delivered instruction, the advent
27 of performance-based accountability and the accompanying
28 responsibility to target resources to make needed improve-
29 ments. Therefore, as it pursues the objectives set forth in

30 subsection (a) of this section, it is the intent of the Legislature
31 to examine further the state basic foundation program in context
32 with the changing educational environment and address the
33 staffing and other needs of the public schools as may be
34 indicated through that examination.

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

Stanley White

Chairman Senate Committee

P. Keith Bruner

Chairman House Committee

Originating in the House.

In effect July 1, 2005.

Harrell E. Holmes

Clerk of the Senate

George W. Boy

Clerk of the House of Delegates

Carl Ray Tomblin

President of the Senate

John

Speaker of the House of Delegates

The within is approved this the 3rd day of May, 2005.

Robert M. Marking
Governor

PRESENTED TO THE
GOVERNOR

MAY 2 2005

Time 9:55 am