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
ENROLLED

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That §18-2E-3e of the Code of West Virginia, 1931, as amended, be repealed; and that §18-9A-5a and §18-9A-5b of said code be amended and reenacted, all to read as follows: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

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

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

<table>
<thead>
<tr>
<th>For the school year</th>
<th>Maximum professional educators per 1000 students in net enrollment</th>
<th>Maximum service personnel per 1000 students in net enrollment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005-2006</td>
<td>High density County 74.10</td>
<td>Low density County 43.73</td>
</tr>
<tr>
<td>2006-2007</td>
<td>High density County 74.20</td>
<td>Low density County 43.85</td>
</tr>
<tr>
<td>and thereafter</td>
<td>High density County 74.30</td>
<td>Low density County 43.97</td>
</tr>
</tbody>
</table>

(c) Every county shall use methods other than reductions in force, such as attrition and early retirement, before implement-
§18-9A-5b. Foundation allowance for increasing professional and service personnel positions.

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

(b) The Legislature finds that the state basic foundation program initially was enacted during the regular session of the Legislature, one thousand nine hundred seventy-one, as a seven-step formula driven largely by student enrollment. Although it has been amended many times over the intervening years to effect program improvements, respond to changing enrollment patterns and accommodate budgetary priorities, it remains a formula driven primarily by student enrollment. As such, the state basic foundation program has been credited with providing base level funding from the state which is very equitable on a per student basis among the county school systems. However, the intervening years also have seen substantial changes in the educational environment, the most profound of which include the decline in student enrollment from about four hundred four thousand students when the state basic foundation program was created to about two hundred seventy-eight thousand students in the two thousand five school year, the growth of technology delivered instruction, the advent of performance-based accountability and the accompanying responsibility to target resources to make needed improvements. Therefore, as it pursues the objectives set forth in
subsection (a) of this section, it is the intent of the Legislature to examine further the state basic foundation program in context with the changing educational environment and address the staffing and other needs of the public schools as may be indicated through that examination.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect July 1, 2005.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 31st day of May, 2005.

Governor
PRESENTED TO THE GOVERNOR

MAY 2 2005

Time 9:55 a.m.