

1 **ENROLLED**

2 **H. B. 4072**

3  
4 (By Delegates M. Poling and Paxton)

5 [Passed March 10, 2012; in effect ninety days from passage.]

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10 AN ACT to amend and reenact §18-5-4 of the Code of West Virginia,  
11 1931, as amended, relating to eliminating requirement for  
12 county boards of education to meet on the first Monday of July  
13 in years in which there is not a biennial primary election.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §18-5-4 of the Code of West Virginia, 1931, as amended,  
16 be amended and reenacted to read as follows:

17 **ARTICLE 5. COUNTY BOARD OF EDUCATION.**

18 **§18-5-4. Meetings; employment and assignment of teachers; budget**  
19 **hearing; compensation of members; affiliation with**  
20 **state and national associations.**

21 (a) The county board shall meet upon the dates provided by  
22 law, and at any other times the county board fixes upon its  
23 records. Subject to adequate public notice, nothing in this  
24 section prohibits the county board from conducting regular meetings

1 in facilities within the county other than the county board office.  
2 At any meeting as authorized in this section and in compliance with  
3 the provisions of chapter eighteen-a of this code, the county board  
4 may employ qualified teachers, or those who will qualify by the  
5 time they enter upon their duties, necessary to fill existing or  
6 anticipated vacancies for the current or next ensuing school year.  
7 Meetings of the county board shall be held in compliance with the  
8 provisions of chapter eighteen-a of this code for purposes relating  
9 to the assignment, transfer, termination and dismissal of teachers  
10 and other school employees.

11 (b) Special meetings may be called by the president or any  
12 three members, but no business may be transacted other than that  
13 designated in the call.

14 (c) In addition, a public hearing shall be held concerning the  
15 preliminary operating budget for the next fiscal year not fewer  
16 than ten days after the budget has been made available to the  
17 public for inspection and within a reasonable time prior to the  
18 submission of the budget to the state board for approval.  
19 Reasonable time shall be granted at the hearing to any person who  
20 wishes to speak regarding any part of the budget. Notice of the  
21 hearing shall be published as a Class I legal advertisement in  
22 compliance with the provisions of article three, chapter fifty-nine  
23 of this code.

24 (d) A majority of the members of the county board is the

1 quorum necessary for the transaction of official business.

2       (e) Board members may receive compensation at a rate not to  
3 exceed \$160 per meeting attended, but they may not receive pay for  
4 more than fifty meetings in any one fiscal year. Board members who  
5 serve on an administrative council of a multicounty vocational  
6 center also may receive compensation for attending up to twelve  
7 meetings of the council at the same rate as for meetings of the  
8 county board. Meetings of the council are not counted as board  
9 meetings for purposes of determining the limit on compensable board  
10 meetings.

11       (f) Members also shall be paid, upon the presentation of an  
12 itemized sworn statement, for all necessary traveling expenses,  
13 including all authorized meetings, incurred on official business,  
14 at the order of the county board.

15       (g) When, by a majority vote of its members, a county board  
16 considers it a matter of public interest, the county board may join  
17 the West Virginia School Board Association and the National School  
18 Board Association and may pay the dues prescribed by the  
19 associations and approved by action of the respective county  
20 boards. Membership dues and actual traveling expenses incurred by  
21 board members for attending meetings of the West Virginia School  
22 Board Association may be paid by their respective county boards out  
23 of funds available to meet actual expenses of the members, but no  
24 allowance may be made except upon sworn itemized statements.

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