

# WEST VIRGINIA LEGISLATURE

## 2019 REGULAR SESSION

**Introduced**

### **House Bill 3001**

**FISCAL  
NOTE**

BY DELEGATE HANSHAW (MR. SPEAKER) (BY REQUEST)

[Introduced February 12, 2019; Referred  
to the Committee on Education then Finance.]

1 A BILL to amend and reenact §18-5-4 of the Code of West Virginia, 1931, as amended, relating  
2 to compensation of county board of education members; increasing compensation;  
3 allowing compensation for participating in certain statewide trainings, serving as a member  
4 on a governing council of an educational services cooperative or on an administrative  
5 council of a multicounty vocational center; and requiring compensation for certain  
6 meetings be paid out of local funds.

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

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

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

1 (a) The county board shall meet upon the dates provided by law, and at any other times  
2 the county board fixes upon its records. Subject to adequate public notice, nothing in this section  
3 prohibits the county board from conducting regular meetings in facilities within the county other  
4 than the county board office. At any meeting as authorized in this section and in compliance with  
5 the provisions of chapter 18A of this code, the county board may employ qualified teachers, or  
6 those who will qualify by the time they enter upon their duties, necessary to fill existing or  
7 anticipated vacancies for the current or next ensuing school year. Meetings of the county board  
8 shall be held in compliance with the provisions of chapter 18A of this code for purposes relating  
9 to the assignment, transfer, termination and dismissal of teachers and other school employees.

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

12 (c) In addition, a public hearing shall be held concerning the preliminary operating budget  
13 for the next fiscal year not fewer than 10 days after the budget has been made available to the  
14 public for inspection and within a reasonable time prior to the submission of the budget to the  
15 state board for approval. Reasonable time shall be granted at the hearing to any person who  
16 wishes to speak regarding any part of the budget. Notice of the hearing shall be published as a

17 Class I legal advertisement in compliance with the provisions of §59-3-1 *et seq.* of this code.

18 (d) A majority of the members of the county board is the quorum necessary for the  
19 transaction of official business.

20 (e) Board members may receive compensation as set by the board at a rate not to exceed  
21 ~~\$160~~ \$200 per meeting attended, but they may not receive pay for more than 50 meetings in any  
22 one fiscal year. ~~Board members who serve on an administrative council of a multicounty~~  
23 ~~vocational center also may receive compensation for attending up to twelve meetings of the~~  
24 ~~council at the same rate as for meetings of the county board. Meetings of the council are not~~  
25 ~~counted as board meetings for purposes of determining the limit on compensable board meetings~~

26 (f) The county board member training standards review committee, as established in §18-  
27 5-1a(g), may make a written determination that board members may be compensated at a rate  
28 not to exceed \$200 per day for participating in statewide trainings conducted by the West Virginia  
29 School Board Association or other organizations approved by the state board pursuant to §18-5-  
30 1a of this code. In making such written determination, the county board member training review  
31 committee shall ensure board members' participation in the trainings. Meetings of the council are  
32 counted as board meetings for purposes of determining the limit on compensable board meetings  
33 for which county board members may be compensated, providing the compensation for trainings  
34 counted as meetings may not exceed more than two meetings per fiscal year.

35 (g) All board member compensation received pursuant to subsection (f) of this section  
36 shall be paid entirely from local funds.

37 ~~(f)~~ (h) Members also shall be paid, upon the presentation of an itemized sworn statement,  
38 for all necessary traveling expenses, including all authorized meetings, incurred on official  
39 business, at the order of the county board.

40 (i) Board members who serve as members on a governing council of an educational  
41 services cooperative, as established pursuant to 18-5-13c(g), may receive compensation at a rate  
42 not to exceed \$100 per meeting attended. Meetings of the council are not counted as board

43 meetings for purposes of determining the limit on compensable board meetings.

44 (j) Board members who serve on an administrative council of a multicounty vocational  
45 center also may receive compensation for attending up to 12 meetings of the council at the same  
46 rate as for meetings of the county board. Meetings of the council are not counted as board  
47 meetings for purposes of determining the limit on compensable board meetings.

48 ~~(g)~~ (k) When, by a majority vote of its members, a county board considers it a matter of  
49 public interest, the county board may join the West Virginia School Board Association and the  
50 National School Board Association and may pay the dues prescribed by the associations and  
51 approved by action of the respective county boards. Membership dues and actual traveling  
52 expenses incurred by board members for attending meetings of the West Virginia School Board  
53 Association may be paid by their respective county boards out of funds available to meet actual  
54 expenses of the members, but no allowance may be made except upon sworn itemized  
55 statements.

NOTE: The purpose of this bill is to increase compensation of county board of education members. The bill also allows compensation for participating in certain statewide trainings, serving as a member on a governing council of an educational services cooperative or on an administrative council of a multicounty vocational center.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.